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II

(Preparatory Acts)

COMMITTEE OF THE REGIONS

Opinion of the Committee of the Regions on the ‘CoR proposals for the Intergovernmental Conference’

(2004/C 23/01)

THE COMMITTEE OF THE REGIONS,

having regard to the decision of its Bureau of 1 July 2003, under the fifth paragraph of Article 265 of the Treaty establishing the European Community, to instruct its Commission for Constitutional Affairs and European Governance to draw up an opinion on this subject;

having regard to the draft treaty establishing a Constitution for Europe presented to the President of the European Council in Rome on 18 July 2003 (CONV 850/03);

having regard to the Declaration on the future of the Union adopted by the Nice European Council;

having regard to the Presidency Conclusions of the Laeken European Council of 14 and 15 December 2001, and in particular the Laeken Declaration on the Future of the European Union;

having regard to the Presidency Conclusions of the Thessalonica European Council of 19 and 20 June 2003;

having regard to the European Parliament resolution on the Draft Treaty establishing a Constitution for Europe and the European Parliament’s opinion on the convocation of the Intergovernmental Conference IGC (A5-0299/2003);

having regard to the opinion of the Commission, pursuant to Article 48 of the Treaty on European Union, on the Conference of representatives of the Member States’ governments convened to revise the Treaties (COM(2003) 548 final);

having regard to the CoR Resolution of 3 July 2003 on the Recommendations of the European Convention (CdR 198/2003 fin) ⁽¹⁾ (CONV 827/03);

having regard to the proposals of the CoR submitted to the European Convention during the course of its work and not included in the draft Constitution (see Appendix 1);

having regard to its draft opinion (CdR 169/2003 rev.) adopted on 26 September 2003 by its Commission for Constitutional Affairs and European Governance (rapporteurs: Sir Albert Bore, President of the Committee of the Regions, Leader of Birmingham City Council (UK-PES) and Reinhold Bocklet, 1st Vice President of the Committee of the Regions, Bavarian Minister for Federal and European Affairs (DE-EPP),

⁽¹⁾ OJ C 256, 24.10.2003, p. 62.

whereas:

- 1) the Declaration on the future of the Union of the Nice European Council established the guidelines of the process we are now reaching the final stage of on the eve of the IGC. It gave the process the following four questions: How to establish and monitor a more precise delimitation of powers between the EU and the Member States, reflecting the principle of subsidiarity; the status of the charter of fundamental Rights of the EU, proclaimed in Nice, in accordance with the conclusions of the European Council in Cologne; a simplification of the treaties with a view to making them clearer and better understood without changing their meaning; the role of national parliaments in the European architecture,
- 2) the Laeken declaration of December 2001 instructed a Convention on the Future of Europe to pave the way for this IGC as broadly and openly as possible and address the following questions: A better division and definition of competence in the European Union; simplification of the Union's instruments; more democracy, transparency and efficiency in the European Union; a Constitution for European citizens,
- 3) the fuller recognition of the local and regional dimension within the new architecture of the EU will both improve its effectiveness and its linkages with citizens,
- 4) the draft Constitution submitted by the European Convention to the Heads of State and Government provides the foundations for a future treaty establishing a Constitution for Europe, which should be finalised by the Intergovernmental Conference,

adopted unanimously the following opinion at its 51st plenary session, held on 9 October 2003.

1. The Committee of the Regions' views

The Committee of the Regions

The overall context

1.1. views decision-making close to the citizen as the necessary counterbalance and complement to the general trend of globalisation;

1.2. deems that in an enlarged Union, European integration should no longer be restricted to economic cooperation, but should, increasingly, entail political decision-making where account is taken of the views of local and regional authorities, because this process generally has an impact on every sphere of government;

1.3. believes that for local and regional authorities to participate fully in the European decision-making process for which they have responsibility for implementation, they need to be well informed of current developments and adequate prior consultation is essential;

1.4. views positively the general trend since the early 1990s of taking account of the local and regional dimension in the EU decision-making process, manifested by the creation of the CoR as well as the parallel development of increased responsibilities and competences of the subnational tiers of government reflecting devolutionary trends within a number of Member States;

1.5. regards the European Commission's White Paper on European governance as the acknowledgement that the EU has moved into a system of multi-level governance and that consequently there must be an enhanced role for and greater respect for the powers of the local and regional spheres of government;

1.6. underlines the need for a regular dialogue between the European Commission and local and regional authorities and the associations that represent them and considers that the CoR is in a position to facilitate an effective dialogue on key policy issues;

1.7. considers the cooperation protocol signed between the European Commission and the CoR as an important basis for closer cooperation, and that it is now appropriate to deepen this cooperation to reflect the role of the CoR in representing the common interest of Europe's local authorities and regions;

1.8. views positively the increased involvement of the CoR in informal Council meetings;

1.9. repeats its call for the financial and administrative evaluations of the main European Commission proposals to retain an evaluation of the impact on local and regional government.

The Convention process and consultations

1.10. welcomes the recognition by the European Convention of the role and place of local and regional authorities in the process of European integration as shown in particular through the organisation of a full session on this subject;

1.11. welcomes the good cooperation that has developed between the CoR and the associations of local and regional government within the context of the Convention;

1.12. welcomes the good relations that were also built up with the European Parliament in the preparation of their report on the role of regional and local authorities in European integration and looks forward to strengthening further the relations with the European Parliament;

1.13. estimates that it is now the time to expand the role of the local and regional dimension within European governance and the institutional architecture of the EU as agreed by consensus at the Convention session of 7 February 2003.

New Constitution assessed

1.14. welcomes the consensus which has emerged in favour of a Constitution for the citizens of Europe, which represents a historic step forward in the process of European integration;

1.15. is pleased at the significant progress made by the members of the Convention towards guaranteeing a clearer definition and distribution of powers within the Union, to ensuring simplification of its instruments and to strengthening the democratic legitimacy, transparency and efficiency of its institutions; nevertheless points out that it is necessary for the further development of the EU to maintain a process of review to decide which tasks can be performed jointly by a considerably enlarged Union;

1.16. welcomes the constitutional recognition of the role of local and regional authorities in the Union as established in the draft Constitution, in particular by means of:

- the importance attached to fundamental rights and values,
- the respect shown to local and regional self-government,
- the recognition given to cultural and linguistic diversity,
- the inclusion of territorial cohesion among the objectives of the Union,
- the acknowledgement of the importance of grassroots democracy in the Union,

- the new definition of the principle of subsidiarity,
- the earlier consultation of representative associations and civil society on the introduction of draft legislation,
- the involvement of the Committee of the Regions in the process of ex-post monitoring of the application of the principles of subsidiarity and proportionality,
- the granting to the Committee of the Regions of the right to institute proceedings before the Court of Justice to defend its prerogatives,
- the lengthening of its members' term of office from four to five years in line with the European Commission and Parliament;

1.17. welcomes its future responsibilities and rights as outlined in the draft Constitution, such as those set out in the subsidiarity protocol. The CoR is prepared to make the necessary internal reorganisation to have the capacity to respond to its enhanced responsibilities adequately;

1.18. acknowledges the need to strengthen its internal mechanisms to produce opinions on referrals coming from the expected new areas of obligatory consultations, to respond to requests from the European Commission to engage in impact and outlook reports, and to be able to engage in a meaningful manner with the European Court of Justice whenever necessary;

1.19. underlines that, should the CoR gain widened areas of obligatory consultation along with the already extended powers of co-decision of the European Parliament as indicated in the draft Constitution, it is appropriate that relations are deepened in order to heighten understanding of the local and regional dimension by the European Parliament. It is also appropriate in this regard that the European Parliament take further advantage of the possibility of consulting the CoR as enshrined currently in the Treaties;

1.20. looks forward to participating in a regular manner at appropriate meetings of the Council of Ministers and informal Council meetings to present the local and regional case.

2. The Committee of the Regions' recommendations*The Committee of the Regions*

2.1. calls upon the Heads of States and governments to accept the draft Treaty establishing a European Constitution as the basis for negotiations at the IGC as the draft Treaty reflects the carefully negotiated institutional balances reached by the European Convention;

2.2. requests however that small, but significant changes as specified in this opinion be made which would correct inconsistencies between the different part of the Treaty without disrupting the inter-institutional balance;

2.3. recommends therefore in line with the development of the role of the CoR in part I and in the subsidiarity protocol, that in part III the CoR's areas of mandatory consultation be extended to policies which have a direct local and regional impact to include agriculture, State aids and services of general interest, research and development, industry and immigration, social protection, security and justice;

2.4. requests that its current consultative role be strengthened by means of a horizontal clause stipulating that the CoR shall be consulted in areas of shared competence, for measures to coordinate economic and employment policies, and in areas of supporting, coordinating or complementary action;

2.5. shares the view of the European Commission that there is a lack of coherence in the draft constitutional treaty between the objectives of the Union and certain policies that have not been reviewed and calls upon the Intergovernmental Conference to make all the provisions of the Constitution consistent;

2.6. recommends furthermore that, in addition to the European Parliament, the Council and the national parliaments, the CoR be referred to in Title VI democratic life of the union, Article 45 on the principle of representative democracy, given that its members represent the democratic principle of proximity at the heart of the Union;

2.7. calls for the right of regional ministers to take part in Council meetings, in accordance with Article 203 of the EC Treaty, and also to ensure this in the future;

2.8. demands that account be taken of the proposal put forward by both the CoR's representatives on the Convention and by many representatives of the States, the European Parliament and national parliaments to include cross-border and inter-regional cooperation in Part III as the regions of both the Member States and the acceding states consider this to be of particular importance in the process of European integration and calls on the IGC to ensure that the Constitution provides a clear framework for such financial support to town twinning;

2.9. calls for it to be clearly stated in the Constitutional Treaty that the EU must ensure that the competences of local, regional and national authorities as regard to services of general interest are maintained;

2.10. repeats the call by the chairman of the European Convention, Valéry Giscard d'Estaing, that the forthcoming IGC operates in a transparent manner, as did the European Convention, and demands therefore the amendments be made public if any substantial changes are to be made to the Draft Constitution in order to allow the citizens to be informed and, if necessary, react;

2.11. supports the proposal to put the open method of the Convention on a more permanent footing as part of the procedure of reviewing the Treaty establishing the European Constitution, and considers that it would be enhanced by the full participation of representatives of the Committee of the Regions and greater feedback on discussions for and from national parliaments.

Brussels, 9 October 2003.

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

APPENDIX 1

to the opinion of the Committee of the Regions

Summary of the major proposals of the Committee of the Regions submitted to the European Convention during the course of its work not included in the draft Constitution (CONV 850/03 from 18 July 2003)

— **STATUS IN THE NEW CONSTITUTIONAL ARCHITECTURE:**

In part 1 of the draft Constitution, the CoR has requested to be included among the list of Institutions at Article 18 paragraph 2 and also submitted the following amendments:

Article 31: ~~The Union's Advisory Bodies~~ **The Committee of the Regions**

1. The European Parliament, the Council of Ministers and the Commission shall be assisted by a Committee of the Regions **in order to guarantee that the local, regional and territorial dimension as well as the diversity of the cultures and traditions of the people of Europe are taken into account in the elaboration, the establishment and the evaluation of Union policies. It also contributes in the control of the application of the respect of the principles of subsidiarity, proximity and proportionality.**
2. The Committee of the Regions shall consist of representatives of regional and local bodies who ~~either~~ hold a regional or local authority **electoral** mandate or are politically accountable to an elected assembly. The members of the Committee of the Regions must not be bound by any mandatory instructions. They shall be completely independent, in the performance of their duties, in the Union's general interest.
3. **The Committee of the Regions shall be consulted by the European Parliament, by the Council or by the Commission in the areas referred to in Articles 13, 14 and 16 and under the conditions provided in Part III. As an observer, it monitors the legislative procedure for these areas ⁽¹⁾.**
4. **The Committee of the Regions may be consulted by the European Parliament, by the Council or by the Commission in all other cases in particular those which concern cross-border cooperation, where one of these two three institutions considers it appropriate.**
5. **The Committee of the Regions may issue an opinion on its own initiative in cases where it considers such actions appropriate.**
6. Rules governing the composition of **this Committee**, the designation of its members, **its** powers and **its** operations, are set out in Articles ~~268, 269, 270~~ **III 292 to III 294** of Part II of the Constitution. The rules governing **its** composition shall be reviewed at regular intervals by the Council, on the basis of a Commission proposal **following the opinion of the European Parliament and the Committee of the Regions** in the light of economic, social and demographic developments within the Union.

In part III the CoR has proposed the following changes to Article III-294:

The Committee of the Regions shall be consulted by the European Parliament, by the Council of Ministers or by the Commission where the Constitution so provides and **in areas referred to in Articles 13, 14 and 16** ~~all other cases~~, in particular those which concern cross-border cooperation, in which one of these Institutions considers it appropriate.

In cases where the Committee must be consulted under this Constitution, the institution that has consulted the Committee shall give its reasons in the event that it does not implement the Committee's recommendations.

The Committee of the Regions has the right to submit written and oral questions to the Commission.

⁽¹⁾ See CONV 618/03 contribution of the CoR to the Convention.

— **EXTENSION OF THE AREAS OF CONSULTATION OF THE CoR**

Description of the CoR amendments introduced at the European Convention on Part III of the Draft Constitution

New priority areas where the CoR requests to be consulted:

- Arrangements for voting and eligibility in municipal elections III-10
- Report of the Commission on citizenship III-13
- Liberalisation of services III-32
- Harmonisation of legislation on indirect taxation III-62
- Approximation of legislation in the area of the internal market III-64, III-65
- State aids III-56, III-57, III-58
- Cooperation in the area of social protection III-116
- Agriculture III-127
- Research and technological development III-149, III-150, III-151, III-152, III-154

Priority areas where the CoR requests the inclusion of a reference to local and regional authorities; for the following Union policies

- Services of general interest III-6
- State aids III-56, 57
- Internal security (area of freedom, security and justice) III-158-178
- Approximation of legislation in the area of the internal market, III-64, III-65

— **COMPOSITION OF THE CoR**

The CoR introduced an amendment on this point on the necessity to be consulted but did not put forward a proposal on its future composition.

Article III-292

The number of members of the Committee of the Regions shall not exceed 350. The Council of Ministers shall **after consultation of the Committee of the Regions** unanimously adopt a European decision determining the Committee's composition.

— **DRAFT PROTOCOL ON THE APPLICATION OF SUBSIDIARITY AND PROPORTIONALITY**

The CoR proposed a series of amendments to the draft protocol which now is significantly changed from its original form. The key CoR proposals include a request for wide consultation of the CoR by the European Commission and for the CoR to receive all official texts as the EU institutions and national parliaments.

In particular the CoR wishes for involvement in the defence of the principle of subsidiarity alongside national parliaments in the six-week early warning period and to have the right to produce a reasoned opinion if the proposal does not comply with the principle of subsidiarity.

Finally the CoR also requests that it receive the report of the Commission on the application of Article 9 of the Constitution alongside the other institutions and the national Parliament of the Member States.

— THE DEMOCRATIC LIFE OF THE UNION

Article 45 paragraph 2

Citizens are directly represented at Union level in the European Parliament, Member States are represented in the European Council and in the Council of Ministers by their governments, themselves accountable to national parliaments, elected by their citizens. **Local and regional authorities are represented at the Committee of the Regions whose members are elected by the citizens or are politically responsible to an elected assembly.**

— CROSS-BORDER AND INTER-REGIONAL COOPERATION

There is a long tradition of cross-border and inter-regional cooperation in Europe. It is one of the socio-cultural foundations of European integration. A legal base is therefore indispensable in order to give the Union the means to enable such cooperation.

Article 3

3. It shall promote economic, social and territorial cohesion, **interregional and cross-border cooperation**, and solidarity among Member States.

Article 13

Addition to the principal areas of shared competences '**transfrontier and inter-regional cooperation**'.

Article 56

Cross-border and inter-regional cooperation can constitute an important element of good neighbourliness.

Article III-116

In order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion. In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, including rural areas. **It shall facilitate cross-border and inter-regional cooperation.**

— REVISION OF THE TREATY

Finally the CoR has requested inclusion in any future revision procedure of the Treaty establishing a Constitution as a full member in Article IV-7.

Opinion of the Committee of the Regions on the ‘Communication from the Commission to the Council and the European Parliament on Trade and Development Assisting Developing Countries to Benefit from Trade’

(2004/C 23/02)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the Council and the European Parliament on Trade and development — Assisting developing countries to benefit from trade (COM(2002) 513 final);

having regard to the decision of the European Commission of 11 February 2003 to consult it on this subject, under the first paragraph of Article 265 of the Treaty establishing the European Community, and to the letter of Mrs Loyola De Palacio, Vice-President of the European Commission, to Sir Albert Bore, President of the Committee of the Regions of the same date to consult it on this subject according to the protocol of cooperation of 2001;

having regard to the Protocol on arrangements for cooperation between the European Commission and the Committee of the Regions, signed by their respective Presidents on 20 September 2001 (DI CdR 81/2001 rev.);

having regard to the decision of its Bureau of 9 October 2002 to instruct its Commission for External Relations to draw up an opinion on this subject (Item 7 b of the agenda, 2002/DEV/5);

having regard to Articles 177 and 178 of the Treaty establishing the European Community;

having regard to The Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000;

having regard to the Joint Statement of the Commission and the Council on the European Community's Development policy of 10 November 2000;

having regard to the conclusions of the fourth Ministerial Meeting of WTO Ministers in Doha in November 2001;

having regard to the conclusions of the International Conferences in Monterrey on the financing of development in March 2002 and in Johannesburg on sustainable development in September 2002;

having regard to the Communication from the Commission to the Council and the European Parliament on the European Community's Development Policy (COM(2000) 212 final);

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

having regard to the report of the European Parliament on capacity-building in the developing countries of 18 March 2003 (A5-0066/2003 — 2002/2157(INI));

having regard to the opinion of the Committee of the Regions on Continuation of the WTO negotiations (CdR 181/2002 fin) ⁽¹⁾;

having regard to its draft opinion (CdR 100/2003 rev.) adopted on 23 May 2003 by the Commission for External Relations (rapporteur: Sir Ron Watson, CBE, Councillor, Sefton Metropolitan District Council (UK/EPP),

⁽¹⁾ OJ C 192 of 12.8.2003, p. 37.

Whereas:

- 1) the integration of the developing countries, in particular the least developed among them, into the world economy is a precondition for their growth and sustainable economic and social development;
- 2) Community policy in the sphere of development cooperation shall foster the sustainable economic and social development of the developing countries, and most particularly the most disadvantaged among them, and the smooth and gradual integration of the developing countries into the world economy;
- 3) regional integration and cooperation contribute to the integration of the developing countries into the world economy and play a decisive role in consolidating peace and preventing conflict,

adopted the following opinion at its 51st plenary session on 9 October 2003.

1. Introduction

remove supply side constraints on trade and to provide reliable financing of trade related assistance and capacity building;

1.1. on 1 January 1995, the World Trade Organisation (WTO) replaced the General Agreement on Tariffs and Trade (GATT) as the key forum for multilateral trade relations. The decision to establish the WTO was taken at Marrakesh in 1994, which saw the culmination of almost eight years of multilateral trade talks within the GATT 'Uruguay Round';

- the World Summit on Sustainable Development (WSSD) at Johannesburg in August-September 2002, which agreed on the need for mutually supportive trade, development and environmental policies;

1.2. following the significant accession of China to the WTO in December 2001, 144 countries are now in membership, accounting for well over 90 % of international trade flows;

1.4. the European Union has been an active participant in these WTO and UN Conferences, and in trade and development negotiations more generally:

1.3. since the well-publicised failure of the WTO's Third Ministerial Conference in Seattle in November 1999, which witnessed a strong protest against 'globalisation' and the workings of the WTO, there have been a number of important conferences which have sought to establish an acceptable common framework for world trade relations which respect the principles of sustainable development and address the special needs of the 49 Least Developed Countries (LDCs):

- EU Trade Commissioner Pascal Lamy has strongly promoted the need for a comprehensive new round of negotiations (i.e. the Doha Development Agenda) and supported the WTO's drive to extend trade rules and their enforcement to services, through the General Agreement on Trade in Services (GATS);

- the fourth Ministerial Meeting of WTO Ministers in Doha in November 2001, which launched the Doha Development Agenda, an approach based on a positive emphasis on development and the importance of capacity building to assist countries to participate effectively in trade negotiations. The Doha Round, which superseded the Uruguay Round (which itself ran from 1985 to 1997), is due to end on 1 January 2005;

- the EU is engaged in an ongoing and politically highly contentious debate about the need to reform the Common Agricultural Policy (CAP), and is in the process of developing its negotiating position within the WTO on agriculture (Mr Bocklet, Bavarian Minister of State for Federal and European Affairs, was rapporteur for an opinion on this matter, which was adopted in the plenary session of 9 April 2003);

- the UN Conference on Financing for Development in Monterrey in March 2002, which stressed the need to

- the EU has produced an initiative known as 'Everything But Arms' (EBA), encouraging duty-free import by industrialised countries of all agricultural products from the poorest countries of the world (the Least Developed Countries, or the LDCs, currently numbering 49);

- the European Commission published a Communication in April 2000 on 'The European Community's Development Policy' ⁽¹⁾, which focused on the need to help developing countries build their capacity to engage meaningfully in trade negotiations and to provide support for policy reforms which would help foster trade and inward investment (e.g. promotion of sound macro-economic policies, support for private sector participation);

1.5. whilst one strand of EU policy has emphasised the importance of economic development, trade and competition, within a clear agenda of 'liberalisation', another strand has focused on the broader concept of 'sustainable development', defined as the integration of the 'three pillars' of economic development, social development (including issues of health, equity and labour rights), and environmental protection. In some formulations, a fourth pillar — cultural development or cultural identity — is added. Other key principles of sustainable development are 'futures' or inter-generational equity (i.e. not advantaging the present generation at the expense of future generations, by focusing short-sightedly on short-term benefits) and 'globality' (recognising the importance of looking at the consequences of actions in terms of their impact on the global environment, again in the longer term);

1.6. the EU has recognised the need for these two strands to be 'coherent' and 'synergetic', most notably in the Commission's Communication 'Towards a Global Partnership for Sustainable Development' ⁽²⁾. There has been an explicit attempt to ensure that key EU policies (e.g. CAP, the Common Fisheries Policy, as well as trade, energy, transport and industry policies) are made more consistent with the principles of sustainable development.

2. The Committee of the Regions views

The Committee of the Regions

2.1. acknowledges that the relationship between the expansion of trade, economic development and poverty reduction is a very complex one;

2.2. believes that, as a broad generalisation, both historically and currently, increased trade openness between nations leads

to positive outcomes in terms of investment and economic development;

2.3. is of the view, however, that the link with poverty reduction is less clear, in that it depends on a combination of other domestic political and institutional factors: a 'virtuous circle' of trade and economic growth may lead to a reduction at the societal level in absolute poverty, but to an increase in inequalities of wealth and income within developing societies;

2.4. strongly supports the increased emphasis on the links between trade, development, poverty reduction and capacity building represented by the Doha Development Agenda.

A positive model of trade openness

The Committee of the Regions

2.5. believes that, for trade openness to be a positive force, a number of key conditions need to be met; these conditions are generally well covered in the Commission's Communication, but some require greater emphasis;

2.6. asserts that, overall, what is required is a proper balance between, on the one hand, the drive towards trade, investment and economic growth, as part of an agenda based on liberalisation and globalisation — which undoubtedly has the potential for bringing about significant improvements in the welfare of less developed countries — and, on the other hand, respect for the principles of sustainable development, the need for transparently fair terms of trade, and a clear acknowledgement by the richer, industrialised countries of the acute problems faced by less developed countries in trade negotiations, caused by over-dependence on a limited range of agricultural and manufactured goods which are highly vulnerable to market fluctuations, and by lack of capacity to engage in complex negotiations on an equal footing;

2.7. regrets that this balance does not currently exist, in that:

- despite the recent World Summit on Sustainable Development (WSSD), which sought to integrate the three pillars of sustainable development (economic development, social development and environmental protection), economic development — including trade — is given greater prominence by governments and business corporations than the other two principles;

⁽¹⁾ COM(2000) 212 final.

⁽²⁾ COM(2002) 82 final.

- the World Trade Organisation (WTO), which plays a key role in creating a rule-bound framework for the conduct of trade relations, pursues a vigorous agenda of economic liberalisation, paying insufficient attention to social development (health, labour conditions, equity and poverty issues), to environmental protection, and to what some consider to be the fourth pillar of sustainable development, cultural identity; this single-minded pursuit of one element of sustainable development would not be a problem if the WTO operated within an overarching institutional and normative framework capable of striking a balance between the competing pillars, but this does not exist, even at the level of the United Nations, leaving the WTO to operate in a largely autonomous realm, with a disputes resolution machinery and powers of enforcement not available to equivalent international environmental protection organisations (e.g. UNEP, Commission on Sustainable Development);
- the richer, industrialised countries have been slow in matching promises with actions in respect of tariff and export subsidy reductions: it has been estimated that, as a result, poor countries lose nearly \$2 billion every day because of unjust trade rules, some 14 times the amount they receive in aid ⁽¹⁾;
- the developed world has, so far, failed to recognise the importance of creating a more 'level playing field' in trade negotiations, by first acknowledging that poorer countries lack the capacity to match the much better resourced negotiators from the industrialised countries and second, by providing assistance to develop that capacity: some 30 WTO member countries cannot afford an office in Geneva, the headquarters of the WTO, and few developing countries can afford delegations large enough to cover the 40 to 50 important trade meetings held in Geneva in an average week ⁽²⁾.

Increasing Market Access

The Committee of the Regions

2.8. welcomes the fact that significant progress has been made in recent years in reducing obstacles to trade in both industrialised and developing countries, and in extending multilateral disciplines to areas such as intellectual property rights, agriculture, textiles and clothing;

2.9. is aware, however, that developing countries still face considerable barriers to their exports to both industrialised

and other developing countries, and that further liberalisation of trade in agriculture is essential if progress is to be made in poverty reduction: in high-income countries the average tariff rate on agriculture is almost double the tariff for manufactures, and import tariffs in developing countries remain almost double those in industrialised countries;

2.10. is concerned that, despite progress since the Uruguay Round, support to agriculture, in the form of subsidies, remain very large in industrialised countries, reaching US\$327 billion in 2000 ⁽³⁾;

2.11. supports the EU's Generalised System of Preferences for encouraging exports from developing countries, and other forms of concession, such as the Everything But Arms (EBA) initiative for the Least Developed Countries;

2.12. recognises that the conclusion of free-trade agreements and the consequent reduction in (or abolition of) duties can result in a significant problem of loss of government revenues in developing countries: in many countries, customs duties represent a major source of government finance (e.g. in 1999, 32 % in Papua New Guinea, 77 % in Guinea); transitional financial support is required to dampen the impact of such losses;

2.13. acknowledges the difficulties faced by the EU in considering the reform of the CAP in balancing the competing objectives of, on the one hand, reducing agricultural tariff barriers, and export subsidies in particular, and, on the other, protecting the 'EU agricultural model', involving domestic support measures in the interests of maintaining biodiversity, fostering sustainable rural development, animal welfare and consumer protection (as well, of course, as the incomes of farmers);

2.14. is concerned, however, that the arguments used to support the integrity of the EU agricultural model and to reject further reductions in tariffs beyond those already agreed under the Everything But Arms initiative — as so cogently argued in Mr Bocklet's opinion on the 'Negotiation position on agriculture for the next WTO round' — may come to block all further progress on trade liberalisation, with the well-founded concerns expressed in Mr Bocklet's opinion being used by those with an interest in the status quo as an excuse for opposing all reasonable reforms in this area.

⁽¹⁾ *The Least Developed Countries Report, UNCTAD, 1999.*

⁽²⁾ *World Development Report 2000/2001: Attacking Poverty, World Bank, 2001.*

⁽³⁾ *World Bank, Global Economic Prospects 2002.*

Strengthening Institutional Capacity

The Committee of the Regions

2.15. strongly welcomes the emphasis in the Communication on strengthening institutional capacity in developing countries to assist them in maximising the benefits from trade;

2.16. recognises a wide range of domestic capacity problems faced by developing countries, which need to be helped by a combination of Official Development Aid (ODA), investment and reform; these problems include:

- policies which are antipathetic to investment and entrepreneurship;
- an underdeveloped financial sector;
- inadequate physical infrastructure, including transport links, utilities and telecommunications;
- low literacy and educational standards;
- institutionalised corruption;
- civil unrest;

2.17. further recognises a set of interconnected problems faced by developing countries in the international trade arena, including:

- excessive dependence on a narrow range of agricultural and manufactured commodities, making them particularly vulnerable to worsening terms of trade and volatile world prices;
- high levels of competition between a large number of small producers;
- high trade barriers, particularly for agricultural and labour-intensive goods;

2.18. recalls favourably the Commission Communication of April 2000 on 'The European Community's Development Policy' (and the Joint Council-Commission Statement of 10 November 2000) which helpfully identified the main areas for the EU to concentrate its assistance for trade capacity building; these fall into two broad categories (not explicitly identified as such in the original Communication):

- (i) assistance specifically directed at trade negotiations (including assistance for WTO accession and multilateral trade negotiations, and support for the implementation of existing and future WTO agreements);

- (ii) more general assistance directed at strengthening the country's economic, social and political institutions and practices; including:

- support for policy reforms, and investments necessary to enhance economic efficiency and to ensure greater participation in the world economy;
- support for technical assistance and capacity building in relation to the linkages between trade and the environment (e.g. training in environmental impact assessments);
- the promotion of sound macro economic sectoral and tax policies which improve the climate for inward investment;
- support for the involvement of the private sector in the economy;
- support for the development of regional markets and institutions among developing countries, particularly through the negotiations and implementation of bilateral and regional agreements with the EU: Regional Trade Agreements (RTAs) amongst developing countries can lead to 'South — South integration' which can enhance efficiency, increase competition, enable economies of scale, and increase the attractiveness of Foreign Direct Investment (FDI);

2.19. agrees with the Communication about the need to integrate trade with development strategies in a way which contributes to the objectives of poverty reduction and sustainable development, through ensuring that trade issues are included within Poverty Reduction Strategy Papers (PRSPs) and other national development strategies, in line with the approach adopted at Doha, Monterrey and Johannesburg;

2.20. draws attention, in this context, to the huge potential of tourism — and in particular eco-tourism — to produce high value developments which generate local employment, make a significant contribution to infrastructure improvements and which — if done properly — respect the environment and local culture;

2.21. supports the Commission's proposal to focus EU assistance on:

- assistance for WTO accession, mainly through training programmes;

- support for the implementation of WTO agreements, particularly in respect of the need to help develop relevant institutional and regulatory frameworks;
- support for wider policy reforms, including reform of customs administration (e.g. simplification of import and export documentation and procedures); ensuring that regulatory and enforcement systems (e.g. health, labour standards, sanitary and phyto-sanitary agreements) meet international standards; and ensuring that adequate intellectual property rights legislation is implemented and enforced;

2.22. agrees with the report of the European Parliament ⁽¹⁾ when it comments that:

‘even if the poorest countries have non-reciprocal right of access to the markets of the developed countries, this will be totally inadequate as a means of ensuring that trade actually develops unless at the same time those countries’ industrial and agricultural development capability is increased, their ability to comply with the rules and meet the standards (in particular health and plant-health ones) in force in the importing countries is enhanced and their knowledge of marketing networks is improved.’;

2.23. draws the attention of the Commission to the significant role which local and regional authorities can play in capacity building through international cooperation links between municipalities and regions; these links — such as town twinning and involvement in international development cooperation projects (including, in the future, in ‘Type 2

Partnerships’ launched at the World Summit on Sustainable Development at Johannesburg in 2002) — allow local and regional authorities in the EU to transfer their skills and experience in the management of local economic development and trade relations to authorities in developing countries;

2.24. recognises that in this regard, local and regional authorities in the EU enjoy considerable powers and responsibilities (and consequently skills and experience) in respect of policies and services which have an important influence on economic activity and trade, including:

- strategic planning;
- transport infrastructure and services;
- economic development management;
- encouragement and incentivisation of inward investment, including tourism;
- development of economic partnerships between business firms and local authorities (including public/private finance initiatives);
- promotion of and regulation of local markets;
- education and skills training;
- procurement policies (allowing of the possibility of specifying ‘fair trade’ conditions);

2.25. urges the Commission to create an enabling environment, including a higher level of grant aid, for local and regional authorities, as well as civil society players such as NGOs, churches and trade unions, and business corporations, to engage in capacity building in less developed countries.

⁽¹⁾ A5-0066/2003 — 2002/2157 (INI).

Brussels, 9 October 2003.

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

Opinion of the Committee of the Regions on the 'Proposal for a Regulation of the European Parliament and of the Council on official feed and food controls'

(2004/C 23/03)

THE COMMITTEE OF THE REGIONS,

having regard to the Proposal for a Regulation of the European Parliament and of the Council on official feed and food controls (COM(2003) 52 final — 2003/0030 (COD));

having regard to the decision of the Council of 28 February 2003 to consult it on this subject, under Article 152(4) of the Treaty establishing the European Community;

having regard to the decision of its Bureau of 14 May 2002 to instruct its Commission for Sustainable Development to draw up an opinion on this subject;

having regard to its opinion on the Communication from the Commission entitled 'White Paper on Food Safety' (CdR 77/2000 fin) ⁽¹⁾;

having regard to its draft opinion (CdR 67/2003 rev. 2) adopted on 12 June 2003 by its Commission for Sustainable Development (rapporteur: Mr Xavier Desgain, Member of the Walloon Parliament -B);

whereas a foodstuffs policy based on a high level of protection for the environment and consumer health is important for the members of the CoR,

adopted the following opinion unanimously at its 51st plenary session on 9 October 2003.

1. Views and recommendations of the Committee of the Regions

The Committee of the Regions

1.1. observes that the aims of the draft regulation tally with the concerns expressed by the Committee of the Regions in its opinion of 12 April 2000 on the White Paper on food safety (CdR 77/2000 fin), but many of these concerns remain;

1.2. recognises that the fundamental principles of food safety and public confidence must be based upon a comprehensive and integrated approach, encompassing the whole food chain 'from farm to fork':

- transparency of all actions and opinions;
- maximum information in clear and understandable form being provided to allow effective consumer choice;
- effective traceability of all food, ingredients and feeding-stuffs through the food chain to the consumer, ensuring at every stage of the process the ability to identify all ingredients;
- application of the precautionary principle in appropriate circumstances;

1.3. welcomes the Commission's initiative to bring the controls needed for both foodstuffs and animal feed into a joint regulation;

1.4. would also like this all-encompassing piece of legislation to apply, with respect to the objectives of the draft regulation, to the official controls performed for the verification of compliance with the rules governing the common market organisations for agricultural products (arable crops, wine, olive oil, fruit and vegetables, hops, milk and dairy products, beef and veal, sheep and goat meat and honey) such that agricultural production as a whole is covered by the across-the-board provisions of the regulation;

1.5. believes that in any event Directive 2000/29/EC ⁽²⁾ on protective measures against the introduction of organisms harmful to plants or plant products and against their spread within the Community will need to be adapted;

1.6. supports the introduction of multi-annual national control plans. Nonetheless, in its opinion on the White Paper on food safety, the CoR recognises the need to acknowledge and respect the diversity and cultural and economic significance of regional and local traditions and customs with respect to food production and taste and therefore of always seeking the appropriate balance between consumer safety and consumer choice. It also believes that the promotion and support of typical food products from different local traditions represents a very decisive way to give consumers healthy foods, and at the same time to help the economies of many rural areas. These concerns are still relevant and will need to be incorporated into the multi-annual national control plans (Article 42 of the proposal for a regulation). It does indeed make sense for the control tasks contained in these plans to

⁽¹⁾ OJ C 226, 8.8.2000, p. 7.

⁽²⁾ OJ L 169, 10.7.2000, p. 1.

focus on the highest-risk sectors, and that as such a link should be established to waste management procedures, large-scale processing and production, the nature of the products and the production methods used. In this respect, care must be taken with the wording of Article 43 of the draft regulation. Recital No 13 to the regulation stipulates that the frequency of official controls should be regular and proportionate to the risk. This risk should be assessed in relation to the production, processing and distribution methods used and the production volume. For the above reasons and in order to secure the best possible management of the multi-annual control plans, it is essential that the Member States should involve the regional and local authorities from the initial planning stage. The same applies to preparation of the contingency plans under Article 13;

1.7. would advocate assessing the risks in relation to each production procedure. Controls should be conducted at as early a stage as possible with particular emphasis placed on large-scale industrial procedures and the cold chain;

1.8. considers that the majority of food crises that have taken place over recent years have involved the animal feed sector, and calls for stricter and more frequent controls in this sector, and for these controls to be geared more towards risk prevention;

1.9. calls for the regulation to be flexible enough to take account of the specific characteristics of those areas governed by the following regulations: Council Regulations (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs⁽¹⁾, (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽²⁾, and (EEC) No 2082/92 of 14 July

⁽¹⁾ OJ L 198, 22.7.1991, p. 1. Regulation as last amended by Commission Regulation (EC) No 436/2001 (OJ L 63, 3.3.2001, p. 16).

⁽²⁾ OJ L 208, 24.7.1992, p. 1. Regulation as last amended by Commission Regulation (EC) No 2796/2000 (OJ L 324, 21.12.2000, p. 26).

1992⁽³⁾ on certificates of specific character for agricultural products and foodstuffs;

1.10. would like the multi-annual national control plans to take real account of the need for traceability throughout and ensure the transparency of these procedures;

1.11. welcomes the introduction of Community controls in the Member States via general audits, which will enable the Member States to improve their control procedures;

1.12. endorses the obligation placed on the Member States, under the powers enshrined in the EC Treaty, to provide for penalties for serious infringements that could lead to the entry onto the market of unsafe products within the meaning of Articles 14 and 15 of EC Regulation No 178/2002⁽⁴⁾ (laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety) as, in a great many cases, only penalties have a truly deterrent effect. It will nonetheless also be necessary to provide for administrative penalties, which can be more rapidly implemented for specific infringements. However, the CoR would prefer to see harmonised EU sanctions enforced by the European Commission in the future. The CoR is aware of the fact that the introduction of such EU-wide sanctions would most probably render a revision of the treaty necessary;

1.13. calls on the Commission, in order not to create distortion of competition, to introduce a system with harmonised levels of fees to be imposed on feed and food business operators in cases of non-compliance with feed and food law, which leads to control activities exceeding the normal monitoring activity. In addition, requests that the control fee system should be flexible enough to take account of the interests of small enterprises;

1.14. would like these various remarks to be included in the training sessions run by the commission for the staff responsible for the controls.

⁽³⁾ OJ L 208, 24.7.1992, p. 9 Regulation as last amended by the Act of accession of Austria, Finland and Sweden.

⁽⁴⁾ OJ L 31, 1.2.2002, p. 1.

Brussels, 9 October 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, the European Parliament, the Economic and Social Committee and the Committee of the Regions on Industrial Policy in an Enlarged Europe'

(2004/C 23/04)

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 Industrial Policy in an Enlarged Europe (COM(2002) 714 final);

having regard to the decision of the European Commission of 12 December 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 4 November 2002 to instruct its Commission for Economic and Social Policy to draw up an opinion on this subject;

having regard to its opinion on An Industrial Competitiveness Policy for the European Union, CdR 140/95 fin ⁽¹⁾;

having regard to its draft opinion (CdR 150/2003 rev.) adopted on 13 June 2003 by the Commission for Economic and Social Policy (rapporteur: Mr Roberto Pella, President of Biella Provincial Council (I/EPP),

adopted the following opinion unanimously at its 51st plenary session, held on 9 October 2003.

1. Views of the Committee of the Regions

The Committee of the Regions

1.1. welcomes the Commission communication and appreciates the work done, inasmuch as it responds to specific demands which it itself has expressed in relation to the need to keep focusing closely at European level on developments in industrial policy, in order to be able to react promptly to changes, which in this field are many and sudden;

1.2. approves of the approach taken by the Commission, which has developed its own analysis on the basis of the fundamental principles set out at the Lisbon European Council in Spring 2000 and later by the Gothenburg European Council in 2001;

1.3. believes, furthermore, that the principle expressed at the Gothenburg European Council regarding sustainable development is fundamental with a view to the balanced parallel development of the three factors of industrial competitiveness (knowledge, innovation and entrepreneurship);

1.4. is directly involved, in its capacity as the body that represents local and regional authorities in Europe, in all aspects of industrial policy — not only the predominant economic side, but also its close links with social, employment, training and environment policy;

1.5. agrees with the Commission's precise pinpointing of the numerous connections between industrial policy and other EU policies that have an impact on industrial competitiveness, and agrees that these need to be coordinated more effectively;

1.6. notes that poor growth in European productivity and relatively low employment levels are linked with persisting structural problems. Tax burdens should also be drastically reduced, including the levels of corporation tax and labour taxes;

1.7. expresses concern regarding the manifestly slow growth of European industry, particularly as the divergences between the various areas of the European Union are still too great;

1.8. takes the view, nevertheless, that careful analyses such as those presented by the Commission can help to identify the weak points of industrial policy and spark the necessary synergistic effects to address them rapidly;

1.9. feels that, as the communication stresses, the forthcoming enlargement of the Union is having a very positive impact, of which there is already evidence, but that it is important to foresee the inevitable problems, which it will be possible to address if the applicant countries apply the open method of coordination in compliance with the appropriate Treaty procedures;

⁽¹⁾ OJ C 100, 2.4.1996, p. 14.

1.10. expresses its firm intention to play an incisive role in shaping an effective industrial policy, through its constituent local and regional authority representatives, in the belief that the administrative decentralisation taking place in many Member States can help to rally all stakeholders to the policy, thus providing the conditions for a genuine application of the open method of coordination in compliance with the subsidiarity principle and the division of powers as laid down in the Treaty;

1.11. urges the Commission to make an analysis of the systems best suited to improving industrial policy and would express in particular its appreciation of two later documents, which were already anticipated in part by the present communication, namely the Green Paper on Entrepreneurship in Europe⁽¹⁾ and the Communication from the Commission to the Council and the European Parliament on 'thinking small in an enlarging Europe'⁽²⁾, as they contain fundamental observations for an effective industrial policy with a positive knock-on effect at local level;

1.12. welcomes the way in which the Commission has made a close connection between improving industrial policy and improving education and ongoing training systems for workers;

1.13. believes that in this respect there are a number of highly effective Community projects under way, and, on this note, would emphasise once more the effectiveness of the Galileo project for research and development;

1.14. agrees with the Commission that industrial policy has undeniable social implications, and therefore believes that it is crucial to promote an effective culture of entrepreneurship, above all through the direct involvement of local and regional authorities, in view of their close contact with the public.

2. Recommendations of the Committee of the Regions

The Committee of the Regions

2.1. believes that, of the specific objectives listed by the Commission, the local and regional authorities must be involved in particular in the stage of analysing the degree to which European industrial policy objectives have been met;

2.2. is of the view that European-level analyses of the effectiveness of industrial policy are essential to give an overall

picture, to compare the effectiveness of the various solutions adopted by the Member States and to facilitate the exchange of good practice; however, it is also necessary to make bottom-up analyses, working from local level, in order to adopt specific industrial policies, with reference for instance to particular products, that can be pinpointed only with the involvement of the local and regional authorities;

2.3. feels therefore that the role of the EU is indispensable, not only in laying down framework conditions and as the primary observatory for all European policies, but also and above all as a body that is able to bring States, regions and local authorities into contact with each other, and that at European level enables them to pool successful solutions to the specific problems some of them may have in common;

2.4. stresses in particular the need to seek convergence among national policies, with a view to addressing the chaotic legislative environment that currently causes particular problems for small and micro businesses (SMEs);

2.5. welcomes the proposal for a more systematic EU approach to improving framework conditions, but is concerned at the slowness with which the Member States are moving into line with European policy; as the Commission is right to note, industrial policy must be as adaptable as possible to continuously and rapidly changing situations and although the policy will be implemented at European level, if the Member States are unable to transpose EU directives promptly, the growth of European industry will be seriously compromised;

2.6. stresses the need to strengthen the new approaches in European legislation designed to make it less burdensome for companies, in particular for small and micro companies, which are often unfortunately crushed by excessively heavy taxation. This requirement, essential for the Member States' small and micro companies, is all the more important for those in the applicant countries; a further danger inherent to enlargement may be the invasion of applicant country markets by major European groups, which could put smaller companies, especially family-run firms, in serious difficulty;

2.7. calls on the Commission, therefore, to take care to ensure that mergers and acquisitions, though essential for a truly competitive European industry on the global market, do not damage small and micro companies, which are crucial sources of creativity and innovation;

⁽¹⁾ COM(2003) 27 final.

⁽²⁾ COM(2003) 26 final.

2.8. urges the Commission to devise strategies for the dissemination of good practice, such as SME groupings, which are a dynamic part of the European industrial landscape and a source of innovative ideas; certain European groupings can be held up as examples, for instance those in the biotechnology sector, in the industrial areas of Munich and Stockholm and in north-west Italy's textiles sector;

2.9. urges the Commission to keep up its cooperation with the local and regional authorities, since, as it rightly stresses, the potential generated by regional policy must be fully exploited to support the restructuring process that will accompany enlargement;

2.10. stresses that active cooperation with the local and regional authorities is vital in order to simplify the administrative procedures faced by companies and thus help small and micro companies to fulfil their obligations, rather than continuing to spend funds on dealing with bureaucracy that could otherwise be used to improve the production process;

2.11. urges the Commission to put forward proposals to ensure that useful facilities set up by local and regional authorities for companies, such as the one-stop shop for companies set up in Italy, can be easily exported to other European countries, in particular the applicant countries. These one-stop shops are extremely useful not only for helping businesses to meet administrative requirements, but also for informing them about European initiatives;

2.12. underlines the fact that local and regional authorities can help to solve the problem of access to European and State funding for small and micro companies, especially in the light of EU enlargement;

2.13. stresses the vital role played by local and regional authorities in another area of European industrial policy, namely lifelong learning. The ever-increasing demand from companies for highly-trained staff should be met with synergic action from local and regional authorities, universities, training colleges, research institutes and companies;

2.14. points out that as the specific type of training required of workers is often determined locally, local and regional authorities — with the assistance of European funding — are in an ideal position to provide appropriate vocational training instruments; these instruments are all the more effective if, at European level, local and regional authorities are given an opportunity to compare notes with each other and disseminate good practice. With a view to securing a more effective

industrial policy, with the emphasis on further training for workers, these issues should be tied in with the local and regional action plans for employment;

2.15. agrees with the Commission that research is the cornerstone of innovation, but recognises that effective information is another basic element that is essential with a view to combining innovative aspects that may appear to be irrelevant to each other, as was the case for instance in the textiles sector with the dual concepts of design and IT, which made the European textiles industry highly competitive on the world market;

2.16. agrees that the EU must be made into an ever more attractive production location, and stresses the need to enhance communications and the transport sector;

2.17. urges that Community and national policies recognise the importance of air freight for supply-chain management. Equally, e-commerce companies rely on the speed of delivery of goods as a determinant of success. Such air freight services, that are reliable, easily accessed and competitive, are of increasing importance, particularly in peripheral areas;

2.18. stresses the significant entrepreneurial capacity and potential of ethnic minorities, while recognising that the European Commission noted this in its Green Paper on Entrepreneurship in Europe ⁽¹⁾, and calls on the Commission to explore potential solutions to the difficulties facing this category of entrepreneur, which, as the Commission's findings show, appears to benefit less than average from public business-support services and has few contacts with business organisations; local and regional authorities can play a crucial role in helping ethnic-minority entrepreneurs to overcome these difficulties;

2.19. calls on the Commission to continue the efforts it has begun at European level to help small and micro companies set up and sustain business activities;

2.20. stresses that local and regional authorities serve the public and can help to establish a healthy culture of entrepreneurship, while also providing simple and effective tools that can enable creative and innovative European citizens to give serious consideration to setting up their own companies;

(1) COM(2003) 27 final.

2.21. draws attention to a principle mentioned by the Commission in its Green Paper on Entrepreneurship in Europe, regarding the need to make European society view business failure in a less categorically intransigent way, so that those who have taken the risk inherent in any business project and have failed for reasons other than incompetence or fraud, can still contribute to the growth of the European economy;

2.22. draws the Commission's attention to its own figures on the crisis in the manufacturing sector, where productivity growth has been significantly lower than in the USA; stimulating the manufacturing sector will bolster the EU's growth potential. It therefore hopes that a specific directive will soon be forthcoming to support the manufacturing sector, providing funding for sectors of production which can significantly boost EU competitiveness, such as textiles, construction and other labour-intensive sectors;

2.23. underlines the need to strengthen the EU's internal market and notes in this respect that the Commission has not paid sufficient attention to this matter; the arrival of the accession countries may give the internal market a positive new competitive boost, which would definitely be of great benefit to European industry at all levels;

2.24. agrees with the Commission on the need for consumer and public health protection policies as an essential precondition for consumer confidence and thus internal market growth;

2.25. is convinced that an important aspect of EU industrial policy must be the obligation to issue a 'traceability' notice with every product placed on the market giving details of all production locations and individual producers in the chain, with the aim of addressing the lack of transparency in information; consumers are increasingly aware of their right and duty in this respect, as it concerns their freedom of choice and their safety;

2.26. calls on the Commission to consider putting forward strategies to prevent European products from suffering the negative effects of inadequate customs tariffs, which frequently weaken the competitiveness of European industry;

2.27. also underlines the need for a Community patent, in order to provide proper protection for intellectual property;

2.28. urges the Commission to continue to pay serious attention to strategies to alleviate the adverse social effects of the inevitable restructuring that will have the unfortunate effect of aggravating local and regional authorities' difficulties dealing with new areas of social hardship;

2.29. underlines the need — greater now than in the past — to secure sustainable development, and recommends taking direct action to provide the applicant countries with all the tools they will need to secure it, not least at local level; once again, there is no concealing the vital role played by local and regional authorities both in the preparatory phase of shaping proper cultural awareness and at the stage of devising tools to promote sustainable development.

Brussels, 9 October 2003.

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

Opinion of the Committee of the Regions on a 'Proposal for a Decision of the European Parliament and of the Council amending Decision No 508/2000/EC of 14 February 2000 establishing the Culture 2000 programme'

(2004/C 23/05)

THE COMMITTEE OF THE REGIONS,

having regard to the proposal for a decision of the European Parliament and of the Council amending Decision No 508/2000/EC establishing the Culture 2000 programme COM(2003) 187 final — 2003/0076 (COD);

having regard to the decision of the Council of 5 May 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 23 January 2003 to instruct its Commission for Culture and Education to draw up an opinion on this subject;

having regard to its draft Opinion (CdR 165/2003 rev.) adopted on 11 July 2003 by the Commission for Culture and Education (rapporteur: Mrs Rosemary Butler, Member of the Welsh Assembly (UK/PES),

unanimously adopted the following Opinion at its 51st plenary session, held on 9 October 2003.

1. The Committee of the Regions' views

The Committee of the Regions

1.1. affirms the importance of cultural activities at European level and the political relevance of the objectives of the Culture 2000 programme;

1.2. welcomes the contribution that the Culture 2000 programme and its predecessors (Kaleidoscope, Ariane and Raphael) have made to date in promoting cultural cooperation across participating countries;

1.3. recognises that as set out in the Commission's own proposal on extending the programme, there is still room for improvement and the CoR would like, Not only to comment on the proposal to extend Culture 2000 to 2006, but also to make some proposals regarding the future orientation of the programme in the new programming period;

1.4. believes that safeguarding and promoting cultural and linguistic diversity is the fundamental principle underlying the process of European integration, and one of the main characteristics of Europe's identity. The successor programme to Culture 2000 must therefore embrace all local, regional, national and sub-state manifestations of cultural and linguistic diversity;

1.5. Notes that the culture programme only represents approximately 5 % of EC funding to the cultural sector, with the remainder coming from other programmes, Notably the Structural Funds. Therefore the CoR strongly believes that a reference to culture must be made in any future regulation as regards the Structural Funds post 2006, and that support for

the cultural sector in the current programme should be analysed in the mid-term review of the structural funds. Currently the regulation of the Regional development Fund Notes that the Fund will participate in the financing of 'cultural investment, including the protection of cultural and natural heritage';

1.6. reiterates the point made in the resolution of the Council of 5 and 6 May 2003 that an extra effort needs to be made to include culture in other policy areas with the aim of placing culture at the heart of European integration. In this way, the CoR hopes that in future there will be closer co-operation with other funds such as the Information Communication Technologies (ICT) or education and youth programmes.

Extending the 'Culture 2000' programme to 2006

The Committee of the Regions

1.7. welcomes the proposal to extend the Culture 2000 programme, due to end on 31 December 2004 to 2006. This will bring the Culture programme into line with the current EU multi-annual programming period, which ends on 31 December 2006;

1.8. agrees with the Commission that there is a need for stability in a period of major change (the accession of ten new Member states, the Inter-governmental Conference, the European Parliamentary elections and the appointment of a new Commission) and that Community support for cultural activities as provided for in the Treaty should Not be disrupted;

1.9. agrees with the Commission proposal that the programme remains largely unchanged for 2005–2006. While the CoR agrees that Now is Not an appropriate time to propose radical reform, given that results of the interim report are pending and the ongoing public consultation, it hopes that the Commission will take immediate steps to streamline the administrative and financial procedures associated with Culture 2000;

1.10. accepts the Commission's proposal that the overall budget for the extended Culture 2000 programme should be EUR 236,5 million. This is in line with the level of support that has been given hitherto and takes some account of the enlargement of the European Union. Moreover, given that the results of the interim evaluation of the programme are Not yet available, it is difficult to properly assess how successful the programme has been in meeting its objectives and to make a strong case for an increased budget for 2005–2006;

1.11. believes that while it is necessary to take a pragmatic approach to the funding of Culture 2000 in the years 2005–2006 for the reasons set out above, the global budget for the programme is nevertheless absolutely insufficient. For this reason, it calls for a more realistic budget to be allocated in the next programming period in recognition of the importance of culture in the European venture, and the fact that the dialogue that society has with itself is conducted through culture.

New European Community Framework Programme for Culture

The Committee of the Regions

1.12. would also like to take this opportunity to make some proposals regarding the orientation of the future European Community Framework Programme for culture;

1.13. welcomes the Commission's decision to launch a public consultation on the shape of a successor programme to Culture 2000. It believes that the programme to date has played a valuable role in promoting increased co-operation and exchange between cultural actors, but feels that it needs to undergo significant reform as regards content, administration, financing, information provision and project selection, if it is to become a genuine instrument for effective cultural action in European terms;

1.14. contends that the primary focus of the new programme should be on European cultural objectives: the development of quality, excellence, originality and challenge which contribute to greater inter-cultural dialogue. The programme should be addressed directly to cultural players,

artists, creators and ultimately of course citizens. For example the new programme should allow professional artists to develop new skills;

1.15. would like the new programme to continue to place importance on the socio-economic benefits that culture can bring, in particular in terms of economic development, social integration, health etc, and should emphasize equality of access to culture. Culture 2000 and its successor programme must explore the means by which everyone has the opportunity and encouragement to experience and enjoy cultural events of the highest possible quality. A vital cultural life with a wide range of cultural facilities boosts the entire region's attraction. Culture is a major factor of territorial cohesion in Europe, providing substantial added value and exercising a multiplier effect on regional and local development projects;

1.16. points out that that many regional and local authorities have responsibility for culture and play a key role in promoting and celebrating the culture of their communities, Notably through community projects, the organisation of festivals, the guardians of artists' works and the preservation of cultural heritage. The future programme should promote the participation of regional and local authorities who work in partnership with cultural operators;

1.17. maintains that it is crucial that the new programme should encourage real innovation and risk-taking and Not just pay lip-service to these goals, but recalls that the concept of innovation is relative and depends on the regional and local context;

1.18. feels the successor programme to Culture 2000 should Not only allow, but encourage integrated cross-art form projects. While this was ostensibly the aim of developing a single framework programme from three disparate programmes, the reality has been that it is difficult for project promoters to put forward projects that cut-across two or more art forms, the reality of contemporary cultural life. Drawing up sectoral or thematic priorities restricts artistic freedom and ultimately makes for less exciting, challenging projects;

1.19. proposes that the programme should Not take a prescriptive view of eligible/Not eligible art forms. It should take a wide-reaching view of arts and culture to include for example community animation and film-making, which provide an excellent vehicle through which cultural exchange, co-operation and engagement can be achieved. The programme should give particular attention to artists seeking to extend the range of new media offered by recent developments in technology;

1.20. applauds the willingness of the Culture 2000 programme to support the promotion of literature in lesser used languages and hopes that the successor programme will ensure that lesser used, regional and miNority languages will be properly integrated into the new programme;

1.21. recommends that the successor programme should favour initiatives undertaken by organisations at the local and regional level, as is currently the case, rather than large-scale activities. This would enable local and regional authorities to play a full role in the programme as project promoters or as partners, as they are often one of the main sources of co-financing for cultural operators. The CoR agrees that EU cultural action should promote sustainable cooperation with multiplier effects and believes that small scale local projects are often the beginnings of long term partnerships which provide an important added-value to EU cultural action;

1.22. encourages activity at a local and regional level which will allow more people to participate in the programme and is one of the current programme objectives, which should be maintained in the future. The CoR maintains that local and regional organizations being closest to the people are able to stimulate more active involvement in cultural activities in terms of contacts with artists, voluntary organizations, education establishments and the population in general and be able to get through more effectively to 'disadvantaged' groups. They are thus best able to ensure the widest access as possible to cultural activities and maximum benefit of opportunities available. In this context the CoR is concerned about the Commission's idea, set out in the public consultation 'Designing the future programme of cultural co-operation for the European Union after 2006', to establish 'European co-operation platforms ... to promote sustainable co-operation with multiplier effects' believes that the definition of 'European platforms' may be ambiguous and unclear, and could restrict free artistic creation. It therefore proposes that it be dropped or, at least, made clearer;

1.23. feels that the Commission should select priorities for the programme, which should Not be sectoral or thematic, but based on a set of programme objectives. These could include: inter-cultural dialogue within Europe which takes account of miNorities; the mobility of artists and works; inNovation; the promotion of cultural heritage; and cultural dialogue with third countries and promotion of locally-based cultural activities;

1.24. welcomes the Commission's proposal, as set out in the public consultation, that the music and publishing industries should be taken into account in Community Action;

1.25. points out that dialogue between people is more essential Now than ever, the CoR calls on the Commission to facilitate the involvement of third countries, especially our nearest neighbours in the Mediterranean and the stability pact countries, and also facilitate the opportunity for all Europeans, including those from Non-European backgrounds to develop their indigeNous cultural traditions and encourage the wider exploration and appreciation of all cultural traditions, European and Non-European, in the successor programme to Culture 2000.

Administration and financing

The Committee of the Regions

1.26. welcomes the Commission's statement, as set out in the decision to extend the Culture 2000 programme, that the general principle for the future programme of cultural co-operation after 2006 should be 'as straightforward and easy to use as possible'. To date the programme has been hampered by its excessively bureaucratic approach, onerous financial requirements and subject to significant administrative blockages, which actually discourages the inNovative or cutting edge projects that the Commission says it is trying to encourage;

1.27. feels that the application process itself must also be simplified, as the current complexity discriminates against smaller operators, small publishers for example, which are unable to afford administrators. Moreover, the application form must be made more appropriate to contemporary arts organisations for example, production costs do Not 'fit' into any of the sections in the current application form;

1.28. believes that the number of partners in the existing programme (three for one year programme and five for a multi-annual) is arbitrary. Projects should be judged on their intrinsic quality and bi-lateral projects should be allowed if the intrinsic quality of the project is high;

1.29. recognises that there is a real need for quicker access to funding. Transnational working is by definition expensive and arts organisations are almost invariably cash poor with little or No reserves and therefore need speedy access to finance, once the project has been selected. To date, access to EC financial support for successful projects has been slow, with some organisations driven to the brink of insolvency because of late arrival of EC funds and bank charges incurred during this time. A more flexible approach to in-kind funding would also be helpful;

1.30. calls for increased awareness of the differing ability of cultural operators to find co-financing, and Notes that operators in the accession countries often have particular difficulties, with many examples of operators having to withdraw from the programme for this reason. There is clearly a need for a more flexible approach. For example the percentage of co-financing from cultural operators participating in the programme from the accession countries could be decreased from the current minimum of 5 % to 2,5 % until the end of the 2007-2013 programming period;

1.31. recognises that it is also the case that the current caps on total project spending (EC + co-financing) for one year and multi-annual projects, are unworkable and should be revised in future. Care should also be taken Not to spend a large amount of the project costs on administration, in the CoR's view this should be limited to a maximum of 20 %;

1.32. regrets in terms of timing, the late appearance of calls for proposals and calls for more effort to ensure an end to the administrative delays that have dogged the programme. This would ensure that operators could start their projects at the beginning of the year, rather than mid way through and make involvement in the programme easier, particularly for smaller operators at local and regional level, which often promote the more cutting edge projects;

1.33. stresses that proportionality must be a guiding principle for the future. The negotiation and decision-making progress currently take far too long as compared to the size of the budgets in question, and there is a strong case for developing strict limits, such as two months for project assessment and ultimate rejection or agreement.

Information provision

The Committee of the Regions

1.34. stresses its concern that information provision on the current programme is something of a lottery, given the varying levels of performance between the cultural contact points in the Member States participating in the programme. An executive agency, as suggested by the European Commission, could be helpful here, if it is designed with the specificity of the sector in mind;

1.35. highlights the need for more transparency and openness in terms of information provision regarding the special (action 3) culture events with a European or international dimension as these have been a somewhat opaque part of the programme;

1.36. considers that the national cultural contact points have a valuable role to play in disseminating information about the programme to local and regional players, and is particularly pleased that some contact points have regional offices bringing their services closer to potential project promoters on the ground. The role they currently play in giving comments on draft Culture 2000 proposals and managing expectations is also very valuable and should be continued in future;

1.37. encourages all local and regional authorities to prepare reports on the benefits to be gained from raising the level of financial and administrative supports within their locality for cultural activities by an agreed percentage on an annual basis.

Projection selection

The Committee of the Regions

1.38. calls for the method of project selection to be improved and made more consistent for the next cultural co-operation framework programme. For the credibility of the programme, it is crucial that members of the jury should be specialists in their field;

1.39. calls on selection to be based solely on the jury's evaluation of the project content and artistic value.

2. The Committee of the Regions' recommendations

The Committee of the Regions

2.1. welcomes the Commission's intention to call for preparatory actions in 2005-2006 to prepare the ground for a stronger successor programme to Culture 2000. The Commission should take this opportunity to test experimental and innovative ideas, and to pilot actions in the field of music, a sector which has not to date been taken specifically into account in community action;

2.2. welcomes the proposal to extend the Culture 2000 programme, due to end on 31 December 2004, to 2006;

2.3. agrees with the budget proposed by the Commission for 2005-2006, but considers that the global budget for the next culture programme from 2007-2013 should be increased so that it can be a genuine instrument for effective cultural action;

2.4. considers that the successor programme to Culture 2000 should focus its activities on local and regional level activities rather than major, large-scale actions in this way allowing increased participation;

2.5. calls on the Commission to ensure that regional and minority languages are integrated into mainstream programmes like Culture 2000 and its successor programme in the spirit of the upcoming EU language strategy and action plan;

2.6. judges that the future programme of cultural co-operation should not only allow but actively encourage interdisciplinary projects;

2.7. urges the Commission to simplify its administrative procedures in line with the principle of proportionality;

2.8. calls on the Commission to ensure that in future, promoters of selected projects receive EC funding quickly and are not subject to undue delays which can be disastrous for smaller operators;

2.9. requests that the project selection process be improved with the jury chosen on the basis of their being specialists in their field and projects selected only on artistic merit.

Brussels, 9 October 2003.

The President

of the Committee of the Regions

Albert BORE

Opinion of the Committee of the Region on:

- a 'Proposal for a decision of the EP and of the Council modifying Council Decision No 821/2000/EC of 20 December 2000 on the implementation of a programme to encourage the development, distribution and promotion of European audiovisual works (MEDIA Plus — Development, Distribution and Promotion)', and
- a 'Proposal for a decision of the EP and of the Council modifying Decision No 163/2001/EC of the European Parliament and of the Council of 19 January 2001 on the implementation of a training programme for professionals in the European audiovisual programme industry (MEDIA-Training) (2001-2005)'

(2004/C 23/06)

THE COMMITTEE OF THE REGIONS,

having regard to the Proposal for a decision of the European Parliament and of the Council modifying Council Decision No 821/2000/EC of 20 December 2000 on the implementation of a programme to encourage the development, distribution and promotion of European audiovisual works (MEDIA Plus — Development, Distribution and Promotion) (COM(2003) 191 final — 2003/0067 (COD));

having regard to the proposal for a Decision of the European Parliament and of the Council of 19 January 2001 on the implementation of a training programme for professionals in the European audiovisual programme industry (MEDIA-Training) (2001-2005) (COM(2003) 188 final — 2003/0064 (COD));

having regard to decision of the Council of 5 May 2003 to consult it on this subject, under the first paragraph of Article 265 and Article 150 of the Treaty establishing the European Community;

having regard to the decision of its President of 23 January 2003 to instruct its Commission for Culture and Education to draw up an Opinion on this subject;

having regard to its draft Opinion (CdR 166/2003 rev.) adopted on 11 July 2003 by the Commission for Culture and Education (rapporteur: Mrs Susie Kemp, Member of West Berkshire Council (UK/EPP);

Whereas:

- 1) The Council and the European Parliament by Decision No 163/2001/EC established the programme MEDIA-Training, a training programme for professionals in the European audiovisual programme industry, to run from 1 January 2001 to 31 December 2005;
- 2) The Council by Decision No 821/2000/EC established the programme MEDIA Plus, a programme to encourage the development, distribution and promotion of European audiovisual works, to run from 1 January 2001 to 31 December 2005;
- 3) It is essential to ensure the continuity of Community policy for the support of the European audiovisual sector in view of the objectives followed by the Community under Article 150 of the Treaty,

adopted the following Opinion at its 51st plenary session, held on 9 October 2003.

1. Committee of the Regions' views

labour to fill new jobs within this highly dynamic and creative service activity;

The Committee of the Regions

1.1. welcomes the extension of both the Media Plus and Media Training Programmes for a further year with a view to establishing new programmes from 2007;

1.2. shares the Commission's view that due to enlargement a number of important elements will entail changes to Community action in the audiovisual sector and future programmes must be adapted to take account of these changes. It is essential that the impetus of these programmes is not lost;

1.3. recognises that the European Film Industry remains a minority industry and action through Media Plus and Media Training programmes are vital. There is a continual need for European Film, television and multimedia industries to become more competitive and for a favourable environment to be created in order to combat the ever increasing global competition. Fragmentation of the European Film Industry is a weakness and must be overcome through greater networking initiatives and cooperation between those involved in the audiovisual industry;

1.4. recognises the strong potential for growth identified in the Media Plus programme and the opportunity to create more than 300 000 extra highly qualified jobs in the audiovisual industry. It is hoped that this number will be increased by the extension of the Media Programmes as an important function of these Programmes is to ensure there is sufficient skilled

1.5. recognises the potential for the Media Programmes to encourage a greater understanding of the cultural diversity within the EU Member States and Regions which will be ever more important with the enlarged Union. Furthermore, the CoR recognises the significant potential for the promotion of linguistic diversity, particularly for minority languages;

1.6. agrees with the continued Media Plus aim of enhancing the potential of countries or regions with a low audiovisual production capacity and/or with a limited geographic and linguistic area and recognises the continued importance of this aim within the extended programme;

1.7. recognises and welcomes the opportunities that Media Plus offers to providing a rapid response to the dramatic speed with which technological changes are occurring particularly in the audiovisual and communication industries;

1.8. welcomes the continued commitment that the Media Programmes give to lifelong learning and EU wide vocational training. The extension of the programmes will continue to allow the training and skilling of people working within the audiovisual and communication industries;

1.9. believes there is still a need for better dissemination of information on Media Plus and Media Training and urges the Commission to consider ways in which the Media Desks can be enhanced and the numbers of the Desks increased. Local Authorities can be actively involved in this aspect through municipal buildings such as Libraries and Community Centres;

1.10. welcomes the increase in the proportional budget for the Media Plus programme but queries the less than proportional increase for the Media Training programme;

1.11. welcomes the forthcoming evaluation of both current programmes and looks forward to receiving the outcomes. The CoR will be particularly interested in the achievements of the programmes in respect of securing a significant number of jobs, evidence of achieving a much wider understanding of cultural diversity together with the promotion of minority languages.

2. The Committee of the Regions' Recommendations

The Committee of the Regions

2.1. underlines that the extended Media Plus programme must have a greater emphasis on disseminating information both in respect of attracting new initiatives but also publicising those projects which are currently underway;

2.2. stresses the need for Media Desks to continue to be developed and the number increased throughout the EU. A greater emphasis needs to be given to the collaboration between Media Desks and local and regional authorities to ensure local and regional industries are well aware of the opportunities that the Media Programmes offer and provide;

2.3. underlines that there is still a need for more involvement by local and regional authorities who can instigate greater collaboration between the different strands of the audiovisual industry. Regional consortia made up of those involved in the training, funding, production and distribution

of the industry should be promoted. Libraries, Community Centres and other Municipal buildings offer opportunities to raise awareness and offer public access to audiovisual material, both past and present. The CoR continues to call for consideration to be given under the Media Plus programme for the funding of IT in public buildings to facilitate this and proposes that in the new 2007 programme, pilot projects are considered;

2.4. calls for the Media Plus Website to be further developed. The CoR re-emphasises the opportunities that a Media Plus website could bring particularly with dissemination of information across the enlarged EU. The website should promote the network of European film and television schools, together with information on training and other opportunities;

2.5. continues to support the call for standardisation of vocational qualifications across the EU and hopes that the new Media Programmes which will commence in 2007 contain measures to move towards this;

2.6. stresses that greater development and promotion of EU wide training programmes, together with greater development of EU wide training bodies and initiatives, need to be achieved through the Media Training programme. The CoR recognises this can be continued through the extended programme but would hope the new 2007 programme will provide better measures to achieve more EU trainers;

2.7. calls for the Media Plus and Media Training programmes to continue with the basic principle of equal opportunities to encourage any initiatives to achieve a more equal gender balance;

2.8. recommends that the design of audiovisual material within the Media Plus and Media Training programmes takes particular account of persons with disabilities.

Brussels, 9 October 2003.

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

Opinion of the Committee of the Regions on the 'Northern Dimension — Second Action Plan 2004-2006'

(2004/C 23/07)

THE COMMITTEE OF THE REGIONS,

having regard to the Commission working document on the Second Northern Dimension Action Plan 2004-2006 of 10 June 2003 (COM(2003) 343 final);

having regard to the decision of its Bureau of 8 April 2003, under the fifth paragraph of Article 265 of the Treaty establishing the European Community, to instruct the Commission for External Relations to draw up an opinion on this subject;

having regard to the 2002 Annual Progress Report on the implementation of the Northern Dimension Action plan of 26 November 2002 (SEC(2002) 1296);

having regard to the Guidelines adopted by the Luxembourg Northern Dimension Ministerial Conference of 21 October 2002 which were subsequently endorsed by the EU General Affairs Council on 22 October 2002;

having regard to the opinion of the Committee of the Regions of 12 June 1996 on The Northern Dimension of the European Union and Cross-Border Cooperation on the Border between the European Union and the Russian Federation and in the Barents Region (CdR 10/96 fin) ⁽¹⁾;

having regard to the opinion of the Committee of the Regions of 15 September 1999 on the Communication from the Commission on a northern dimension for the policies of the Union [COM(98) 589 final] (CdR 107/1999 fin) ⁽²⁾;

having regard to the opinion of the Committee of the Regions of 9 October 2003 (CdR 175/2003 fin) on the Communication from the Commission to the Council and the European Parliament on Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours;

having regard to its draft opinion (CdR 102/2003 rev. 2) adopted on 5 September 2003 by the Commission for External Relations (rapporteurs: Mr Lars Abel (DK/EPP) member of Copenhagen County Council Mr Uno Aldegren (SE/PES) Member of Skåne Regional Council);

having regard to the contributions of the Arctic Council and the Barents Euro-Arctic Council on the Second Northern Dimension consultation process, and the general experiences of the North Sea Commission on the cooperation of regional activities in the Northern Dimension area;

having regard to the views of the European Economic and Social Committee on the future of the Northern Dimension;

Whereas:

- 1) it is important to notice that the perspective of the area concerned by the Northern Dimension is changing dramatically with the new candidate countries entering the EU; this means that on the political and economical scene new challenges need to be addressed which is why the Northern Dimension policy is an important part of the puzzle in the new EU;
- 2) the debate on the new Action Plan on the Northern Dimension must gather all parties involved, including local and regional organisations, and sub-national authorities in the new Member States, to further the process of the Northern Dimension in the best way possible and making it more efficient, concrete and operational; it is important that the Northern Dimension is a part of regional policies and implemented on a regional and local level as well as national level;
- 3) it is appropriate to continue the work of the Northern Dimension in order to develop the enlarged EU and to further the cooperation with Russia and other relevant actors, e.g. Norway, Iceland and Greenland,

adopted the following opinion at its 51st plenary session, held on 9 October 2003.

⁽¹⁾ OJ C 337, 11.11.1996, p. 7.

⁽²⁾ OJ C 374, 23.12.1999, p. 1.

1. The Committee of the Regions' views

The Committee of the Regions

1.1. welcomes the working document of the Commission on the second Northern Dimension Action Plan for 2004-2006;

1.2. notes with satisfaction that the Commission wants to involve a wide range of participants in this initiative, including the local and regional authorities;

1.3. notes also that the principles of inclusive participation, subsidiarity and complementarity form a clear basis on the Commission proposal, with an effective division of labour and overall coordination and monitoring of the strategic objectives, priorities and concrete activities;

1.4. welcomes also the specific reference made to the internationally recognised principles of sustainable development, good governance, transparency and participation, gender equality, the rights of minorities, and the protection of indigenous peoples, as well as the adoption of mutually reinforcing economic, employment and social policies by all partners involved, in line with the EU Lisbon Strategy;

1.5. considers that the Northern Dimension Action Plan should place a strong focus on cross-border and interregional cooperation in the light of the enlargement of the EU; the Commission's recent Communication 'Wider Europe — Neighbourhood' points to the Northern Dimension as an important factor in the new enlarged EU and Europe in general and therefore it is important to further cooperation also on the local and regional level;

1.6. stresses the importance of a bottom-up process for the Northern Dimension since the implementation of the EU acquis will for a great part be handled by the local and regional authorities and further stresses the importance of an effective coordination of all the Northern Dimension related efforts by the different DGs in the European Commission, e.g. by creating a specialised Northern Dimension coordinating unit in the European Commission.

2. The Committee of the Regions' recommendations

The Committee of the Regions

Priorities and Decision-making Processes — Horizontal and Vertical

2.1. calls for an initiative in order to gather forums on the Northern Dimension on a regular basis bringing together representatives of the local and regional administrations of the Northern Dimension area;

2.2. wishes that the sub-national authorities in the countries of the Northern Dimension are consulted in the concrete planning of the programmes and projects taking place; hence increased decision-making power should be transferred to the local and regional actors in order to obtain more equal participation;

2.3. proposes to establish a consultative body preferably in an already existing organisation or instrument where both the horizontal and the vertical levels are represented — it being the EU, national governments, Council of Baltic Sea States (CBSS), local and regional governments, their organisations and trans-Baltic organisations like Baltic Sea States Sub-regional Cooperation (BSSSC) and Union of Baltic Cities (UBC), the North Sea Commission, the Arctic Council and the Barents Euro-Arctic Council; Russian local and regional representatives should be part of the consultative body in order to cover the whole Northern Dimension area; hence it would seem natural that the Committee of the Regions plays a central role in such an initiative along with the European Commission;

2.4. suggests that activities concerning the implementation of the Northern Dimension programmes on local and regional levels are evaluated and taken into consideration and that the European Commission and the states initiate and support strengthening of the sub-national administrative capacity where needed;

2.5. asks that the following areas should be given high priorities because local and regional authorities in most countries hold competencies in these sectors: human resources, education, health, environment, transport, business and regional development, and culture, supported by ICT;

2.6. suggests that the business cooperation is strengthened between the private sector and the local and regional authorities, e.g. by setting up a business advisory body for business oriented projects;

Financial framework for the Northern Dimension

2.7. calls for a dynamic debate between the policy making parties and the implementing parties at all levels to establish a financial framework for the Northern Dimension Action Plan;

2.8. draws attention to the Barcelona process to see if a parallel model is possible for the Northern Dimension;

2.9. wishes that the cohesion policy on the Northern Dimension is to continue as an EU responsibility like the MEDA programme and points to the fact that a financial framework is necessary to implement this policy;

2.10. proposes that a separate budget line be created for the Northern Dimension; the creation of an appropriate financial framework would be beneficial for all the priority areas of the Northern Dimension; the administration of the financial framework must be simple; access to resources must be as flexible as possible;

2.11. suggests that the national governments and the Council safeguard sufficient financial resources to local and regional level activities in human and institutional capacity-building in order to solve the existing financial problem of a lacking collective budget line on the Northern Dimension policy;

2.12. wishes to explore the possibilities of better involvement of international financial organisations in development projects under Northern Dimension policy;

Cross Border and Interregional Cooperation — Tacis and Interreg

2.13. points out the strong necessity to coordinate the current programmes of Tacis and Interreg more effectively; the existing programmes have shown that the present coordination between the two is not sufficient; the idea of a single proximity instrument should be noted as a possible future solution to the problem;

2.14. calls to expand the existing Interreg programmes beyond spatial planning to other priority sectors where the local and regional authorities also hold their competencies, and to accept the maritime national borders in the Baltic Sea as eligible for all strands of Interreg programmes; it is however important to notice that expansion will require financial means;

2.15. stresses the importance of creating smaller non-bureaucratic financial facilities for interregional programmes and projects within the Interreg and Tacis programmes;

Northern Dimension Environmental Partnership and Northern Dimension Partnership in Public Health and Social Wellbeing

2.16. draws attention to the approach of the Northern Dimension Environmental Partnership; it is important to include local and regional actors in the partnership since they also have competence on this field;

2.17. proposes that attention is paid to the Northern Dimension Partnership in Public Health and Social Wellbeing; an international temporary working group plans the partnership consisting of ministerial participation; it is important to include the local and regional levels since they also hold competence in the field;

Kaliningrad, the Northwest Russian Regions and the Arctic Circle

2.18. stresses the importance of paying special attention to the region of Kaliningrad in the Northern Dimension due to its geographical inclusion in the new enlarged EU for example by creating special programmes and financial solutions for projects within Kaliningrad and cross-border cooperation between Kaliningrad and its neighbours;

2.19. points to the experience that cooperation projects between local and regional authorities already take place and seem easier to facilitate than the ones at national level;

2.20. considers it important that not only Kaliningrad but also all the north-west Russian regions are given special attention since cooperation with the new EU also proposes challenges for these regions;

2.21. draws attention to the Arctic area where a very harsh climate, great distances, weak economic development and vulnerability towards external environmental influences make economic and social development difficult; it is therefore important to strengthen the circumpolar cooperation and to recognise the importance of reinforced circumpolar cooperation in all Arctic Circle activities; furthermore, the concept of the Arctic Window plays a central role in the conclusions of the Conference on the Northern Dimension and the Arctic Window in Ilulissat, Greenland, 28 August 2002.

Brussels, 9 October 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 more accessible, equitable and managed asylum systems’

(2004/C 23/08)

THE COMMITTEE OF THE REGIONS,

having regard to the European Commission Communication on Towards more accessible, equitable and managed asylum systems (COM(2003) 315 final);

having regard to the decision of the European Commission of 31 July 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 Bureau of 1 July 2003 to instruct its Commission for External Relations to draw up an opinion on this subject;

having regard to the policy framework on immigration and asylum established in the conclusions of the Tampere meeting of the European Council of October 1999, calling for a common EU policy to include partnership with countries of origin, a common European asylum system, fair treatment of third country nationals and management of migratory flows;

having regard to the Commission's Communication on Asylum Policy of November 2000 which identified the need to explore measures which could contribute to providing legal and safe protection within the EU whilst simultaneously deterring human smugglers and traffickers and to the European Commission Communication on the common asylum policy and the Agenda for protection (COM(2003) 152 final);

having regard to the Council Directive on the reception of asylum-seekers which was formally adopted on 27 January 2003;

having regard to the Community Initiative EQUAL which seeks to combat exclusion and inequality in the labour market, including provision to improve the social and vocational integration of asylum seekers;

having regard to the ARGO programme adopted by the Council on 13 June 2002 aimed at promoting administrative cooperation in the areas of external borders, visas, asylum and immigration;

having regard to the Council Directive 2001/55/CE of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons, e.g. as the result of war;

having regard to the approval by the HCR Executive Committee in autumn 2002 of an Agenda for Protection directed at managing hybrid migratory flows, sharing burdens and responsibilities more equitably and matching protection systems;

having regard to the proposals of the High Commissioner for Refugees for the ‘Convention Plus’ directed at extending the management of hybrid migratory flows by means of modernised instruments of policies;

having regard to the Opinion of the Committee of the Regions on Immigration Policy and Asylum Policy (CdR 93/2002 fin) agreed on 16 May 2002 ⁽¹⁾;

having regard to the Opinion of the Committee of the Regions on the Right to Family Reunification (CdR 243/2002 fin) agreed on 21 November 2002 ⁽²⁾;

⁽¹⁾ OJ C 278, 14.11.2002, p. 44.

⁽²⁾ OJ C 73, 26.3.2003, p. 16.

having regard to the proposals from the UK on 'better management of the asylum process' debated at the Spring 2003 European Council;

having regard to its draft opinion (CdR 249/2003 rev.) adopted on 5 September 2003 by its Commission for External Relations (rapporteur: Mrs Ruth Coleman, Leader of North Wiltshire District Council (UK/ELDR));

whereas:

- 1) Member States are deeply concerned at the abuse of asylum procedures and at the rise in hybrid migratory flows, often supported by trafficking practices, and at the large number of negative decisions after examination of the need for international protection;
- 2) although there has been considerable progress in achieving a common asylum system across the EU, further progress towards harmonisation is at present limited by the difficulty met by Member States in moving beyond national agendas;
- 3) there is a manifest need to explore new avenues which respect the credibility of the institution of asylum and Europe's humanitarian tradition,

adopted the following opinion at its 51st plenary session, held on 9 October 2003.

1. The Committee of the Regions' views

The Committee of the Regions

1.1. welcomes the Agenda for Protection and the positive approach by the EU Member States and the Commission towards implementing the Agenda within the EU;

1.2. welcomes the ten basic premises set out on pages 11–13 of the Commission communication COM(2003) 315 final;

1.3. insists on respecting the deadlines of the first phase of harmonisation of the Common Asylum System;

1.4. believes that the objective of sharing burdens and responsibilities more equitably should not be seen solely in terms of spreading the physical or financial burdens but should be directed at managing the asylum system better;

1.5. believes that in order to achieve fairer, faster and more efficient asylum procedures, member states should be willing to examine both the quality of the examination of applications and the speed of procedures;

1.6. would welcome further discussion and briefing on the Commission's study on External processing of asylum applications, which was delivered in December 2002 as soon as the further study on resettlement schemes is completed later this year;

1.7. is concerned that the discussion of a return policy must be fully informed as to the financial and other support required by the relevant countries of origin;

1.8. hopes that the programme for financial and technical assistance to third countries works to the advantage of return policy;

1.9. believes that the complex issues of integration of persons enjoying international protection into the host society needs urgent attention and would welcome early discussion with the Commission of its new proposals for an integration policy; against this background, looks forward to the opinion on the Communication on immigration, integration and employment ⁽¹⁾ currently under discussion by the Commission for Economic and Social Policy of the Committee of the Regions;

1.10. believes that in order to combat illegal immigration effectively, the EU needs to re-examine the possibility of controlled legal immigration and would therefore welcome further discussion with the Commission on its proposals for a Community immigration policy;

1.11. encourages the Commission to look for mechanisms for providing protection for applicants for asylum outside the EU;

1.12. believes that the current systems of asylum processing are complicated, expensive and inefficient;

⁽¹⁾ COM(2003) 336 final.

1.13. welcomes the fact that the Convention included the concept of a common European asylum policy in its draft Constitutional Treaty, implying that the adoption of minimum rules has been abandoned in favour of the establishment of a uniform status and common procedures for all persons who need international protection and opening the way for the adoption of measures on partnership and cooperation with third countries; the Convention's proposal that the draft Constitutional Treaty enter into force in 2009 does not obviate the need for the European Union to rapidly introduce a common European asylum system in compliance with the goals and deadlines set by the Tampere, Seville and Thessaloniki Councils, in particular the adoption, by the end of 2003, of the outstanding basic legislation, that is the proposal for a Council Directive on minimum standards for the qualification and status of third-country nationals and stateless persons as refugees or as persons who otherwise need international protection and the proposal for a Council Directive on minimum standards in Member States for granting and withdrawing refugee status.

2. The Committee of the Regions' recommendations

The Committee of the Regions

2.1. welcomes and supports the campaign to raise public awareness of EU policies against discrimination, racism and xenophobia which is being led by Commissioner Diamantopoulou;

2.2. calls for a determined, concerted and high-profile fight by the EU against trafficking in human beings;

2.3. calls for harmonisation of the common asylum system, rather than a variety of Member States systems, to be directed in particular towards introducing a more orderly and better managed system;

2.4. calls for a radical overhaul of the system of asylum application processing with the objective of ensuring a simple, transparent and quick method of deciding asylum cases, integrating people who are accepted and removing those who do not meet the criteria;

2.5. feels that the schemes for improving the protection of refugees in their region of origin should be operated under the auspices of the European Union so as to ensure greater coherence in asylum policy outside the EU; the schemes must also be run in full cooperation with the countries concerned and in accordance with the recommendations of the UNHCR;

2.6. endorses the Commission's call for more resources to be provided in the next financial perspectives (2007-2013) for financing Community initiatives in the area of immigration and asylum and believes that the resources available under budget line 'Cooperation with Third Countries in the area of migration' (B7-677) should be increased significantly by 2006.

Brussels, 9 October 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 European Parliament, and the Council in view of the European Council of Thessaloniki on the development of a common policy on illegal immigration, smuggling and trafficking of human beings, external borders and the return of illegal residents'

(2004/C 23/09)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the European Parliament and the Council in view of the European Council of Thessaloniki on the development of a common policy on illegal immigration, smuggling and trafficking of human beings, external borders and the return of illegal residents (COM(2003) 323 final);

having regard to the decision of the European Commission of 31 July 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 Bureau of 1 July 2003 to instruct its Commission for External Relations to draw up an opinion on this subject;

having regard to the Green Paper of the European Commission on a Community return policy on illegal residents (COM(2002) 175 final);

having regard to its opinion of 20 November 2002 on the abovementioned Green Paper;

having regard to the decisions taken at the European Councils in Tampere (October 1999), Laeken (15 December 2001) and Seville (June 2002);

having regard to the Santiago Action Plan;

having regard to the Brussels Declaration adopted at the European Conference on Preventing and Combating Trafficking in Human Beings (September 2002);

having regard to the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on immigration, integration and employment (COM(2003) 336 final);

having regard to the decisions taken at the Thessaloniki European Council (19 and 20 June 2003);

having regard to its draft opinion (CdR 250/2003 rev.) adopted on 5 September 2003 by its Commission for External Relations (rapporteur: Mr van den Brande, Senator, Belgian Parliament, member of the Flemish Parliament (BE/EPP));

whereas:

- 1) the Committee of the Regions recognises the importance of and need for a Community policy on illegal immigration, smuggling and trafficking of human beings, external borders and the return of illegal residents;
- 2) a coherent approach, integrated legal instruments and appropriate follow-up action are urgently required;
- 3) this is a matter of major concern to regional and local authorities in the context of the EU and of their respective Member States;

adopted the following opinion at its 51st plenary session, held on 9 October 2003.

1. Views of the Committee of the Regions

The Committee of the Regions

1.1. is pleased to note that the European Commission has issued a communication in which it highlights the particular importance of a common policy on illegal immigration,

smuggling and trafficking of human beings, external borders and the return of illegal residents;

1.2. believes that the various aspects of migration are rightly regarded as a top political priority for the EU, as demonstrated by the large number of measures introduced by the Commission on this subject and the decisions taken at the European Councils in Tampere, Laeken, Seville and Thessaloniki;

1.3. trusts that this common policy will be marked by a coherent approach, will be based on integrated legal instruments and will benefit from appropriate and effective follow-up action;

1.4. considers that the existing legal basis and operational instruments need to be strengthened and that wherever and whenever necessary, appropriate new instruments will have to be introduced;

1.5. deplores the lack of a common blueprint and measures for legal migration and asylum policy, despite the fact that such measures could reduce and discourage illegal immigration;

1.6. believes that a return policy must always be implemented with due respect for human rights and human dignity, within the framework of a common return policy;

1.7. highlights the need for operational cooperation and the exchange of information in all areas;

1.8. attaches great importance to a well thought-out visa policy, as such a policy can make a considerable contribution towards preventing illegal immigration; such a policy must be based on an effective information system which is coordinated with and linked to the Schengen Information System;

1.9. highlights the need for an efficient border control system in which the responsibilities and efforts of the Member States are important and which is coordinated by a common EU unit;

1.10. urges that every effort be made to combat the smuggling and trafficking of human beings, activities which are often linked to organised crime;

1.11. demands that special attention be paid to the degrading problem of trafficking in women; all resources must be harnessed to combat this problem;

1.12. believes that a common policy to tackle illegal immigration can only be effective if it forms part of a general framework of relations between the EU and other states; readmission agreements are of fundamental importance in this context as they can lead to a strong partnership;

1.13. expressly emphasises that a common policy can be effective and credible only if it is backed up by adequate funding, from the outset for the initial period and then under more permanent budgetary arrangements, for the period post-2006;

1.14. draws attention to the fact that local and regional authorities are generally the bodies first in line when it comes to tackling these situations and the related problems and are frequently called upon to take action;

1.15. considers it essential and obvious that both the EU and the Member States should therefore involve local and regional authorities fully in the common policy;

1.16. attaches particular importance to the special situation facing regions and local authorities which are no longer situated at the external frontiers of the EU or find themselves situated there for the first time;

2. Recommendations of the Committee of the Regions

The Committee of the Regions

2.1. calls for the rapid completion of a comprehensive common European policy to tackle illegal immigration, smuggling and trafficking of human beings, external borders and the return of illegal residents;

2.2. stresses the need for a coherent approach, integrated instruments and appropriate, effective follow-up;

2.3. draws attention to the fact that in any common return policy, human rights and human dignity must be fully respected and that further work needs to be carried out on a separate EU instrument to back the priorities set by the Council in the action programme which it endorsed; it also points out that immigration must take place within a clear legal, procedural framework; a directive on minimum standards for return procedures and the mutual recognition of return decisions also appears to be advisable;

2.4. expects that concurrently a common blueprint will be drawn up for legal migration and asylum;

2.5. supports a well thought-out visa system and the establishment of a Visa Information System (VIS), linked to the Schengen Information System (SIS II) which is to become operational by 2006; the requisite technical, legal and financial measures will have to be introduced;

2.6. calls for an effective border control system and an integrated policy for managing the EU's external frontiers; the Common Unit for External Borders Practitioners, which meets as a working party in the so-called SCIGA+ formation, has its limitations; the day-to-day management should therefore be taken over by a body which has a more operational nature and is managed efficiently; also demands the establishment of a European border guard, whilst recognising the key role played by the national services;

2.7. expresses the wish that a start be made on recast of the Common Manual of External Borders and that consideration be given to whether new institutional machinery should be established to strengthen operational cooperation in the management of external borders and to whether controls at maritime borders need to be tightened up;

2.8. asks the Commission to pursue forceful measures to combat people smuggling and trafficking, which are often in the hands of organised crime; to step up all forms of cooperation between the enforcement bodies and victims, and also to consider any concrete measures, standards, best practice and schemes which can prevent people trafficking; asks the Council to endorse the proposal to grant to the victims of illegal immigration and people trafficking a short-term residence permit;

2.9. calls upon the Commission and the Council to pay particular attention to combating the degrading practice of trafficking in women and to mobilise all resources to this end;

2.10. urges that operational cooperation and the exchange of information in all fields be stepped up; in this context, it recognises the value of establishing a platform for the exchange of information based on modern and secure web technologies (ICONet) and also recognises the value of setting up a network of immigration liaison officers (ILO);

2.11. advocates that the complete migration agenda be included in the dialogue with third countries on existing and future association and cooperation agreements; advocates the conclusion with these countries of readmission agreements leading to a reciprocal, global partnership whereby measures to combat illegal migration can be improved and return facilitated in a way which is acceptable to both the Member States and the receiving countries; the establishment of a legal framework for the creation of a multi-annual programme of cooperation with third countries in the field of migration is to be recommended;

2.12. attaches particular importance to the release of adequate funding to enable these global objectives — which the EU regards as a top political priority — to be fulfilled in a credible way and regrets the fact that at the present time this is in no way the case; endorses the solution supported by the Commission, namely the revision of the ARGO programme for meeting immediate needs, the use of the margin available from 2004-2006, and then to rely on the post-2006 financial perspectives for the area of JHA;

2.13. wants to see a realistic and fair system of burden-sharing, based on a number of conditions and criteria; specific account needs to be taken of the basic principles of subsidiarity and additionality; only those types of expenditure directly linked to the EU dimension should be cofinanced;

2.14. regards it as self-evident that the EU and the Member States involve local and regional authorities in the common policy as partners, since these authorities are generally also the first to have to deal with such situations and problems and are often called upon to take action; their expertise and good practice can — and must — therefore be exploited;

2.15. proposes that provision be made for Schengen facilities for those local authorities which are no longer situated at the EU's external borders or find themselves situated there for the first time; proposes that a list of requirements be drawn up in various fields, including infrastructure and the loss of regular transit traffic, and that the requisite assistance and resources be made available;

2.16. urges that steps be taken to involve as many actors as possible — both authorities and social players — so as to arrive at a broadly-based common policy;

2.17. endorses the proposal to set up a European Refugee Fund.

Brussels, 9 October 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 Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours’, and**
- **on the ‘Communication from the Commission: Paving the Way for a New Neighbourhood Instrument’**

(2004/C 23/10)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the Council and the European Parliament on a Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours (COM(2003) 104 final);

having regard to the decision of the European Commission of 13 June 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 Bureau of 8 April 2003, in accordance with the fifth paragraph of Article 265 of the Treaty establishing the European Community, to instruct the Commission for External Relations to draw up an opinion on the subject;

having regard to the Communication from the Commission: Paving the Way for a New Neighbourhood Instrument (COM(2003) 393 final);

having regard to the Declaration of the Euro-Mediterranean Conference in Barcelona of 28 November 1995 and the Association Agreements of the European Union with Tunisia, Israel, Morocco, the Palestinian Authority, Jordan, Egypt, Lebanon, Algeria, Syria and Libya;

having regard to the Conclusions of the Vienna European Council of December 1998 on the northern dimension and the Partnership and Cooperation Agreement between the European Union and Russia and the Partnership and Cooperation Agreements between the European Union and Ukraine, Moldova and Belarus;

having regard to its Opinion on the Communication from the Commission on a Northern dimension for the policies of the Union (CdR 107/99 fin) of 15 September 1999 ⁽¹⁾;

having regard to its Resolution on Decentralised cooperation and the role of regional and local authorities in the Euro-Mediterranean partnership (CdR 40/2000 fin) of 16 February 2000 ⁽²⁾;

having regard to the Action Plan for the Northern Dimension with external and cross-border policies of the European Union (2000-2003) of 14 June 2000;

having regard to its Opinion on Regional and local authorities and the European Union's strategy for the Mediterranean (CdR 123/2000 fin) of 20 September 2000 ⁽³⁾;

having regard to the Conclusions of the Valencia Euro-Mediterranean Conference of 22 and 23 April 2002;

having regard to the Conclusions of the Luxembourg Ministerial Conference on the Northern Dimension of 21 October 2002;

⁽¹⁾ OJ C 374, 23.12.1999, p. 1.

⁽²⁾ OJ C 156, 6.6.2000, p. 47.

⁽³⁾ OJ C 22, 24.1.2001, p. 7.

having regard to the Progress report on the Communication from the Commission on the impact of enlargement on regions bordering candidate countries — Community action for border regions (COM(2002) 660 final) of 29 November 2002;

having regard to the Conclusions of the Copenhagen European Council of 12 and 13 December 2002;

having regard to its Opinion on the Report from the Commission: Explaining Europe's enlargement (CdR 325/2002 fin) of 13 February 2003 ⁽¹⁾;

having regard to the Resolution of the European Parliament on the conclusions of the negotiations on enlargement in Copenhagen of 9 April 2003;

having regard to the conclusions of the meetings of the General Affairs and External Relations Councils of 15 April, 30 September and 18 November 2002 and of 24 February, 18 March and 14 April 2003;

having regard to the Conclusions of the European Conference of 17 April 2003;

having regard to the Conclusions of the mid-term Euro-Mediterranean Conference held in Crete on 26 and 27 May 2003;

having regard to the Commission Working Document on the Second Northern Dimension Action Plan, 2004-2006 (COM(2003) 343 final) of 10 June 2003;

having regard to the opinion on the Northern Dimension — Second Action Plan 2004-2006 (CdR 102/2003 fin) of 9 October 2003;

having regard to the draft opinion (CdR 175/2003 rev. 2) adopted by the Commission for External Relations on 5 September 2003 (rapporteur: Mr Chaves González, President of the Region of Andalusia (ES-PES));

whereas:

1. new prospects are opening up for relations between the European Union and its future neighbouring countries following the fifth enlargement of the Union;
2. for decades the countries of the southern and eastern Mediterranean have represented a priority area for the EU on account of their strategic importance in political and economic terms and their human and cultural proximity;
3. the EU's relations with Russia, Belarus, Moldova and Ukraine will be of key importance to security and stability in Europe following enlargement;
4. in the Laeken Declaration, the European Union undertook to guarantee peace and stability through support for freedom, solidarity and diversity;
5. the European Union's external relations should be strengthened by supporting the political and economic reforms referred to in the Conclusions of the Copenhagen European Council;
6. political, economic, cultural and social cooperation between the EU and these regions must be stepped up in order to prevent the emergence of new fault lines in Europe, by creating an area of prosperity for these countries and the people of Europe as a whole;

⁽¹⁾ OJ C 128, 29.5.2003, p. 56.

7. the development of regional and interregional cooperation is one of the most important foundations for implementing the neighbourhood policy in these areas;
 8. regional and local authorities have been pursuing cooperation policies as part of their own remit, particularly in connection with cross-border cooperation with third country bodies,
- adopted the following opinion at its 51st plenary session of 9 October 2003.

The Committee of the Regions

1. Wider Europe: accepting the challenge

1.1. welcomes this timely and necessary initiative by the European Commission, introducing a new political, economic, social and cultural perspective in relations with our neighbours to the south and east, especially at a time when the latest EU enlargement procedure is generating new and ambitious expectations among these countries;

1.2. believes that once the enlargement process is successfully completed, the EU is duty-bound to contribute to the economic and social development of the neighbouring countries, not only at European level, but also by redefining the role it should play within the world order and reflecting the on-going processes of globalisation;

1.3. agrees with the Commission on the need to launch new initiatives to promote regional and sub-regional integration in certain of its surrounding areas, allowing interdependence between these areas and the European Union to be created;

1.4. considers that the European Union also bears a crucial responsibility in promoting political and democratic stability, security, sustainable development and social cohesion among our neighbours, thereby creating a friendly neighbourhood based on real cooperation at all levels and across all sectors;

1.5. believes that fostering intercultural dialogue is a basic ingredient of the new neighbourhood policy, and that it should be reinforced through a series of measures demonstrating the diversity encountered across Europe, focusing on respect for human rights and the fight against discrimination, racism and xenophobia;

1.6. believes that the success of this new neighbourhood policy should be rooted in broader involvement and commitment on the part of civil society in the European Union and the neighbouring countries;

1.7. is convinced that glaring economic differences across national frontiers can only undermine social order in the affected regions and breed illegal immigration, trafficking, organised crime and other related problems;

1.8. considers that the achievement of a 'ring of friends' around the European Union will have a beneficial effect on the political stability and economic development of both the Member States and the neighbouring countries. However, a narrow focus on extending the internal market or security aspects will not by itself ensure full cooperation between countries. The European Union must also commit itself to promoting cultural cooperation, sustainable development and economic, social and territorial cohesion;

2. A new vision and a new offer

2.1. considers that the neighbouring countries should be offered worthwhile and encouraging prospects: continuing with the present association and cooperation approach is not enough. Stability, security and prosperity must be practical, achievable goals for both the EU and its neighbours;

2.2. therefore supports the creation of a common area embracing the EU and its partners paving the way for a single market, free trade, an open investment system, approximation of legislation and the use of the euro as a reserve and reference currency for trade with the neighbouring countries. The ultimate purpose would be to apply the concept of 'sharing everything with the Union but institutions', without thereby barring the prospect of EU accession for neighbouring European countries if they meet the Copenhagen criteria;

2.3. also urges a common approach to tackling the main threats presently facing us as regards crime, terrorism, illegal immigration and environmental challenges;

2.4. advocates the development of a new political dialogue based on a series of shared values and principles, specifically concerning policies such as the environment, transport, research, education and culture. The dialogue should be extended to society in general in order to counter stereotypes and facilitate mutual understanding;

2.5. highlights the existence of a range of policies forming part of this outlook which are of particular significance to regions, and consequently:

2.5.1. calls for a detailed examination of the problems hampering trade in border regions, and supports harmonisation of legislation and enhanced security as a means for promoting trade;

2.5.2. urges that special attention be given to the economic, social and humanitarian impact on the EU's regions and municipalities of integration in the field of legal migration and control of illegal immigration. There should be an overall review of the problems and opportunities arising from migration flows;

2.5.3. calls for a dedicated transport policy for these areas, whose remoteness and particular communication problems come on top of their combined land and sea borders;

2.5.4. supports the introduction of energy models integrating security of EU supply, promotion of renewable sources and conversion of energy sources presenting the greatest risks for the environment and populations;

2.5.5. underlines the need for the new neighbouring countries to commit themselves to measures ensuring environmental protection and enhancing and safeguarding biodiversity;

2.5.6. advocates financial support on the part of the European institutions, and more specifically the EBRD and EIB, to promote local production systems which, based on small and medium-sized enterprises, can ensure the success of the planned political and economic reforms in the countries concerned;

2.6. demands that such policies be allocated adequate financial resources so that they can take firm root and the credibility of the proposed initiatives is not undermined;

3. Neighbourhood: different countries, common interests — a differentiated, progressive and benchmarked approach

3.1. believes that if the objectives of the EU's neighbourhood policy are to be attained, new common mechanisms and structures must be introduced which go beyond the present agreements, lending fresh impetus to existing processes;

3.2. supports the Commission's proposal to apply a structured and progressive approach to moving forward with cooperation, based on mutual obligations and the ability of each partner to meet their commitments, and the establishment of specific targets against which results can be measured before moving on to succeeding stages;

3.3. agrees with the establishment of country action plans to be negotiated between the European Commission, the Member States and each of the neighbouring countries. However, the Committee of the Regions asks to be consulted during the negotiating process for each of the action plans, so that the active role of European regional and local authorities in neighbourhood policy can be taken into account;

3.4. believes that adoption of a common strategy towards its neighbours is a vital step in the EU's relations with its immediate surroundings. It notes, however, that these countries do not all start from the same point in their relations with the EU, meaning that it is essential to distinguish two differentiated lines of action: one for the Mediterranean and the other for Russia and the NIS;

Russia and the NIS

3.5. argues for a new initiative which, founded on earlier experiences (European Economic Area, Council of the Baltic Sea States, Northern Dimension, etc.) and comparison with other processes, such as the Mediterranean one, can upgrade existing cooperation between the EU, Russia and the NIS;

3.6. calls for increased cooperation between Russia and the EU, using the Northern Dimension framework as a catalyst, for which an appropriate financial framework must be created, and consequently urges that the Northern Dimension forum planned at the General Affairs Council held in Luxembourg on 9 April 2001 be set up and opened to local and regional authority representatives;

3.7. supports restoring the dialogue between the EU and Belarus in order to back democratic and economic change and progress on human rights in the country, and to enable EU local and regional authorities to offer their experience in this regard;

3.8. advocates a rapid and lasting solution to the Transdnistria problem, which is the main obstacle to Moldova's political and economic progress and is a source of regional tensions;

The Mediterranean

3.9. points out that an essential instrument for relations with the countries on the southern and eastern shores of the Mediterranean already exists: the Barcelona Euro-Mediterranean Conference, with its three political, economic and socio-cultural aspects. Although the Euro-Mediterranean partnership has not met the expectations created in 1995, it represents an innovative framework for relations between the European Union and the Mediterranean partner countries, with the ambition of setting up a free-trade area by 2010;

3.10. considers that the Barcelona Process should be further developed by gradually integrating the Mediterranean countries into all the European Union's policies, in keeping with the degree of mutual commitment;

3.11. considers that closer cooperation of this kind entails an intensified political dialogue, which is more necessary than ever in the wake of the war in Iraq and the unresolved Israeli-Palestinian conflict;

3.12. supports the creation of the European Investment Bank's Facility for Euro-Mediterranean Investment and Partnership (FEMIP), believing that this instrument should serve as a launch-pad for a fully-fledged Euro-Mediterranean Bank;

3.13. is of the view that the European Union's new neighbourhood policy towards the Mediterranean must be underpinned by a strategic concept fully covering all the issues. It therefore draws attention to the need to forge a real intercultural dialogue promoting knowledge of 'the Other' and mutual understanding, and fostering Mediterranean cultural diversity;

3.14. stresses that neighbourhood policy must be pursued differently, depending on the relations and commitment of each of the partner countries with the EU, and envisaging increased aid for those fulfilling their commitments. In this regard, it supports the Kingdom of Morocco's request to have special status vis-à-vis the European Union;

4. Broader and more proactive involvement of local and regional authorities

4.1. calls in general for the active involvement of local and regional authorities in this new policy, and in particular:

Common aspects

4.2. calls for backing for cooperation between European local and regional authorities and their counterparts in the neighbouring countries to the south and east of the EU. Such backing should adopt a 'bottom-up' approach to ensure they are integrated into the new neighbourhood policy;

4.3. asks that EU local and regional authorities be consulted before new neighbourhood policy initiatives are proposed, in keeping with the Commission's White Paper on European governance, particularly with regard to identification of objectives, benchmarks and the timetable for implementing the action plans for each country;

4.4. also calls for border regions to be involved in formulating, implementing and evaluating the action plans;

4.5. urges coordination and complementarity between cooperation initiatives funded by the European Union, its Member States and European regional and local authorities in the neighbouring countries, in order to ensure maximum consistency and synergy of the resources deployed;

4.6. calls for special attention to focus on border regions, providing them with proper means and instruments, reflecting the approach adopted by the November 2002 proposals for Community action for border regions;

4.7. proposes that an intensive and open debate on the EU's political limits be initiated, covering the different levels of governance, especially local and regional levels, as a means of ensuring that the diversity and uniqueness of geographical Europe is recognised;

4.8. restates the essential part that European regional and local authorities are taking within the various cross-border and interregional cooperation processes as key players in decentralised EU cooperation;

4.9. calls for a support instrument to be set up for regional and local authorities, especially in border regions, so that they can effectively discharge their responsibilities in the field of integration and social awareness regarding immigrants. In this connection, it advocates including the local and regional dimension in the EU's migration policies;

Russia and the NIS

4.10. urges the establishment of a forum for local and regional authorities to assess the level of political and administrative decentralisation in Belarus, Moldova, Russia and Ukraine, so that the local and regional players from the EU and these countries can draw together strategically;

4.11. calls for regions to be involved in shaping transport infrastructure schemes so that border areas can be better integrated and structured;

4.12. urges that backing be given to a programme to replace nuclear energy with more environment-friendly models and to encourage new, renewable sources of energy;

4.13. advocates increased cross-border cooperation in customs control and management as a means of preventing people-trafficking and normalising trade in goods;

The Mediterranean

4.14. renews its call, pursuant to the Barcelona declaration and the conclusions of the Stuttgart conference and the Cologne European Council, for regional and local authorities to be more closely involved as frontline players in establishing an area of peace, stability and progress in the Mediterranean;

4.15. repeats that this requires the establishment, within the Euro-Mediterranean institutional framework, of a regional and local body which would bring together regional and local authorities from both sides of the Mediterranean, and which would promote the partnership and develop programmes to be carried out throughout the Mediterranean;

4.16. regrets that, although the Barcelona declaration envisaged that city and regional representatives would hold meetings to take stock of their problems and exchange experiences, no such meetings have yet been held; calls, therefore, for them to begin this year;

4.17. reiterates its request for decentralised Euro-Mediterranean cooperation to be made one of the pillars of the Barcelona process, and also requests that, on behalf of the European Commission, regional and local authorities administer the Community financial resources earmarked for the Mediterranean partner countries under decentralised cooperation;

4.18. calls for the Euro-Mediterranean Foundation to be an overarching body embracing all national, regional and local initiatives throughout the European Union and the southern and eastern Mediterranean. The Foundation should act as a catalyst and forum for dialogue between the Christian, Islamic and Jewish cultures and serve as a model for involving local and regional authorities from around the Mediterranean by drawing together civil societies. It accordingly emphasises the importance of pursuing a specific information and awareness programme actively involving regional and local authorities and targeting Mediterranean populations.

5. A new neighbourhood instrument

5.1. supports the strategy and guidelines contained in the Commission Communication: Paving the way for a New Neighbourhood Instrument;

5.2. considers that the measures proposed by the Commission should ensure the necessary coordination between the various programmes for cross-border and interregional cooperation between the European Union and the neighbouring countries. The lack of such coordination, as highlighted by the Committee of the Regions and other Community institutions, has hitherto blocked the cooperation which is fundamental for contributing to the harmonious development of neighbouring countries;

5.3. considers that this new instrument should strengthen current methods of cross-border and interregional cooperation so as to enable local and regional authorities to participate more actively in such cooperation;

5.4. agrees with the Commission that the new neighbourhood instrument should have a single approach to cooperation, thus facilitating the joint programming of actions between the administrations of the European Union and neighbouring countries;

5.5. stresses the importance of the participation of local and regional authorities in shaping, applying and further developing the new neighbourhood instrument. To this end it calls on the Commission to organise conferences and seminars explaining and analysing the fruitful cooperation being carried out, with their own resources, by local and regional authorities across borders;

5.6. supports the establishment of the new neighbourhood instrument in two phases. With regard to the first phase (2004-2006), the Committee stresses that it is important for the neighbourhood programmes to be up and running at the beginning of 2004. By the same token, it considers that the Commission should take account of the programmes that EU regions and municipalities are in the process of developing with administrations in neighbouring countries, supporting pioneer cooperation initiatives such as the Andalusia-Morocco cross-border Development Programme financed by the governments of Andalusia and Morocco;

5.7. stresses that, besides the cross-border cooperation linked to Interreg III A, the new instrument should cover the

interregional cooperation provided for in Interreg III B. In this connection, and for those specific areas which have borders with neighbouring countries, the Committee calls for the launch of programmes to tackle integrated development, with a special focus on spatial planning, the environment, SMEs, employment, economic and social policy, culture, and the management of migratory flows, with special attention to safety, reception and integration;

5.8. with regard to the second phase, calls for the participation of the Committee of the Regions in the formulation and definition of the post-2006 new neighbourhood instrument, involving it in the process of discussion and approval.

Brussels, 9 October 2003.

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