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93rd plenary session 14 and 15 December 2011

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I
(Resolutions, recommendations and opinions)

RESOLUTIONS

COMMITTEE OF THE REGIONS

93RD PLENARY SESSION 14 AND 15 DECEMBER 2011

Resolution of the Committee of the Regions on 'The priorities of the Committee of the Regions for 2012 based on the legislative and work programme of the European Commission'
(2012/C 54/01)

THE COMMITTEE OF THE REGIONS

I. The future of the Union

1. firmly believes that the key challenge for the EU is now to re-establish public trust in its capacity to secure financial stability and renewed economic growth, as well as giving priority to democratically legitimate political decision-making relating to the negative influence of the financial market;

2. advocates greater European integration as regards economic governance, provided that this development is given democratically legitimacy and occurs in the framework of the European Union institutions. Acknowledges nevertheless that the European Council of 9 December 2011 could not apply the Community method for the new fiscal compact and the strengthened economic policy coordination, despite the willingness of 26 Member States out of 27 to preserve the Community method, since unanimity was required, only the inter-governmental approach was left with all its legal and political consequences. Regrets that so far, an excessively narrow approach has been taken with the project to enshrine only budget discipline in an intergovernmental Treaty. In the Committee of the Regions' view, any possible reform of the Lisbon Treaty is to be envisaged as part of a convention established along the same lines as the Convention of the future of Europe (2002-2003), ensuring the full involvement of the European institutions, including the Committee of the Regions;

3. welcomes the fact that the Commission, in the current difficult economic, budgetary and institutional situation, is determined to defend the Community method vigorously; from the point of view of the Committee of the Regions, as a political assembly of EU local and regional authorities, this is the only option possible for guaranteeing the democratic legitimacy of the Union, application of solidarity- and cohesion-based values and respect for the principles of multi-level governance, subsidiarity and proportionality; confirms its intention to reflect this synergy of values in the revised cooperation agreement between the Commission and the Committee of the Regions, currently under negotiation;

4. welcomes the prospect of Croatia joining the EU in the near future and confirms its desire to welcome Croatian observers to attend CoR work as of January 2012.

II. Turning the EU budget's features and added value to good advantage

5. highlights the fact that the Union's budget, although relatively small in size, is vital for responding to the challenges defined and agreed in the Lisbon Treaty and the Europe 2020 strategy; stresses the particular features of this budget and its added value in relation to national, regional and local budgets, in the sense that it is always in balance - meaning that no euro whatsoever is earmarked for repaying debts - and 94.5% thereof is essentially devoted to investment at national, regional and local level; underlines the crucial importance of the leverage effect of the European budget in the strategy for revitalising the European economy and the financing of structural investments targeting regional and local authorities in particular in the context of the current crisis;

6. stresses the need for the CoR to constantly express its political views on future EU measures towards a deeper fiscal and economic integration and on the synergies between sub-national, national and EU budgets; the CoR has to defend legal competences of regional and local authorities in terms of financial autonomy and to react to all measures which have an impact on the regional and local authorities' capacity to take loans at affordable prices;
7. calls on the two branches of the budgetary authority to agree by the end of 2012 on a multi-annual financial framework (MFF) for the 2014-2020 period and, in keeping with the commitment undertaken in Article 311 of the Treaty on the Functioning of the European Union, on a reform of the system for the European Union's own resources with a view to doing away with the "fair return" mentality and allowing enough time to finalise partnership contracts and operational programmes which will follow adoption of MFF-related legislative measures;

8. welcomes the European Commission's proposal for a pilot phase for the project bond initiative;

III. The future of cohesion policy and of transports

9. deems cohesion policy to be the main European Union beneficiary policy likely to contribute to balanced, sustainable environmental and social economic development throughout the regions of Europe; in this respect the Committee regrets that the budget earmarked for this policy in the proposal for the 2014-2020 multiannual financial framework has been reduced, particularly against the backdrop of the current economic financial and social crisis and in view of the Europe 2020 strategy's ambitious objectives;

10. welcomes the fact that a cohesion policy for all regions of the Union has been retained, as has the simplified architecture based on two objectives and three categories of region, as presented in the 6 October 2011 legislative package; nevertheless would reiterate its request that other additional criteria could be added to per capita GDP, particularly in the implementation and evaluation of programmes, the latter being an indicator which does not adequately reflect economic, social cohesion and environmental sustainability development levels or regional disparities;

11. welcomes the European Commission's proposals (1) to set up a common strategic framework to improve consistency and synergy between Union policies and (2) to establish a partnership contract between the Commission and each Member State and welcomes the direct involvement of local and regional authorities in formulating this policy;

12. acknowledges the key role that cohesion policy can play in giving concrete form to the Europe 2020 strategy; nevertheless notes that its raison d'être, as enshrined in the Treaty, is to reduce economic, social and territorial disparities; therefore calls for there to be greater flexibility in the choice of thematic objectives and concentration of funds, attaching real importance to the principles of multi-level governance and partnership with local and regional authorities;

13. is in favour of the proposals in the legislative package on reinforcing the urban dimension, local development measures and integrated regional and local investment, and calls for the urban mobility action plans to be implemented with financial support from the European Union. At the same time draws the attention to the necessity to adequately reflect rural development dimension in the programming of the cohesion policy with the appropriate link with the CAP;

14. acknowledges the principle of endeavouring to achieve more efficient cohesion-policy-related public expenditure by means of a conditionality system, but would warn against over-complex implementation arrangements; supports the idea of applying ex-ante conditionality, as long as the list of conditions involved is made less cumbersome; accepts the principle of ex-post conditionality, provided that local and regional authorities are directly involved in the results indicators used; on the other hand, does reject the macro-economic conditionality proposals based on the Stability and Growth Pact and would express serious misgivings as to the performance reserve;

15. supports the consolidation of the territorial cooperation objective, endowed with more financial resources, so as to move beyond the mere exchange of good practice between the regions of Europe;

16. welcomes the fact that the proposal to revise Regulation 1082/2006 on a European grouping of territorial cooperation (EGTC) has taken on board a large number of proposals made by the Committee of the Regions, particularly as regards i) economic and social players' and civil society's involvement in EGTCs and ii) steps to facilitate access to this instrument for authorities from third countries; stresses the cross-border potential of the EGTC through the entire set of Community policies; therefore undertakes to pursue its activities for promoting this instrument, especially through its highly relevant platform in this domain, and intends to continue managing the EGTC register;

17. feels that the "Connecting Europe Facility", endowed with EUR 50 billion, could have a positive effect and significant leverage effect for consolidating the Union's economic, social and territorial cohesion and, through the use of project bonds, attract other investment; nevertheless this mechanism should be coherent with the cohesion policy governance and budget; in any case deems it essential to secure consistency and compatibility with projects financed through the structural funds and to involve local and regional authorities in project selection;

18. will issue a detailed opinion on the new TEN-T regulatory framework which is designed to address all players involved in TEN-T policy and not just Member States; it could significantly reduce regulatory obstacles to the implementation of a European transport system;

19. endorses the internalisation of community, access and environmental costs by means of harmonised taxation applying to all modes of transport, the revenues from which will be earmarked for establishing an integrated, efficient and sustainable transport system; also supports the promotion of new financial instruments, particularly European project bonds: believes that the increased use of public-private partnerships could also help to secure funding for new transport infrastructure projects;
20. stresses the need for a comprehensive strategy of the European Commission in communicating the impact and benefits of cohesion policy on the ground and reminds the role that can be played by the regional and local authorities and offers the CoR’s support in this regard.

IV. Delivering the Europe 2020 Strategy in partnership

21. insists that Europe 2020 should be given a full territorial dimension;

22. deplores that in most cases the preparation of the Europe 2020 National Reform Programmes has been a missed opportunity to implement Europe 2020 in partnership between all tiers of government. The European Commission’s Annual Growth Surveys (2012 and 2013) should insist on this need for Member States to address multilevel governance and partnership in their progress reports. It should report to what extent and how all partners, including local and regional authorities, have been involved in Europe 2020 implementation. If needed and to improve ownership of the strategy, specific recommendations on this should be issued. The credibility of Europe 2020 is at stake if the partnership gap between EU, national, regional and local level and citizens remains;

23. recalls its proposal of Territorial Pacts to be adopted in every Member State in order to guarantee a partnership-based implementation of National Reform Programmes and a joint preparation of the Partnership Contracts: insists that the partnership principle put forward by the Commission be made effective by making the agreement between all public authorities legally competent for delivering EU funds a precondition for the approval of partnership contracts, and by promoting the option of territorial pacts;

24. considers that the follow-up of the Flagship Initiatives should be strengthened and monitored in a result-oriented perspective. Continued effort is needed to communicate actions under all Flagship Initiatives to stakeholders on the ground. As the results of the recent CoR survey on "Europe 2020: what's happening on the ground" show, the higher knowledge on the Flagship Initiatives among local and regional authorities, the more relevant they are for the local and regional actions. It also permits to frame existing local and regional initiatives in the context of the broader European objectives, giving a sense of ownership and coordinated action.

IV A. Smart Growth

25. considers the current EU research budget to be inadequate, and therefore welcomes the significant boost to research and innovation proposed under the MFF (up from EUR53bn to EUR80bn). This moves the Union nearer to the Europe 2020 target of investing 3 % EU GDP into research and innovation, in line with the creation of an ‘Innovation Union’. Stresses the need to better integrate national programmes and the European Research Framework Programme;

26. supports the creation of a "Horizon 2020" common strategic framework for research and innovation, as it has the potential to simplify and consolidate the different funding programmes in this field such as the Research Framework Programme (FP7) and the Competitiveness and Innovation Programme (CIP). Points out however that the Common Strategic Framework (CSF) for research and innovation should be well coordinated and consistent with the CSF proposed for the structural funds. Welcomes, in this context, the Regional Innovation Scoreboard, in line with its recommendation (1) that consideration also be given to drawing up and publishing an innovation scoreboard at regional level, enabling local and regional authorities, the academic community (universities, colleges and research institutes) and businesses to evaluate and monitor the success of regional innovation activity;

27. supports the extension and increased allocation of funds in the post-2013 "Education Europe" programme for educational projects that promote mobility. Considers that education that facilitates independent thinking, creativity and innovation is the key factor to ensure growth and competitiveness in the future. The Committee of the Regions also recognises the broader role of education in developing the person as a whole and its social dimension, as well as the ensuring of equal opportunities and access to education, training and mobility. Welcomes that the European Commission has taken up its call for including sports into the integrated programme for education, training, youth and sport;

28. strongly welcomes the Commission's plans to connect national research systems and to ensure open competition in the field of research and key university positions;

29. supports further actions to unlock the potential of e-commerce, e-government and ICT-enabled progress in general, while safeguarding citizens’ rights to trustworthy information, safety and privacy. The CoR acknowledges the huge implications of the Digital Agenda in the fields of energy efficiency, interoperable public services and the financing of broadband networks across the European Union. Welcomes in this regard the budget allocation of 9.2 bn euro for digital networks in the 'Connecting Europe Facility' and the related 'Guidelines for trans European telecommunication networks';

30. recalls the objective set in the Digital Agenda for Europe flagship initiative (2) that by 2013 basic broadband should be accessible to all Europeans. Considers that this objective should be complemented by an approach based on the definition of citizens’ rights in this regard as well as specific public service obligations;

31. endorses the focus of the future "Creative Europe" post-2013 programme on the achievement of Europe 2020 goals. By bringing culture and media together, the programme must facilitate the distribution of cultural products, create a single online market for audiovisual works and help unlock the job creation potential of the cultural and creative sectors, while at the same time maintaining and building upon Europe’s cultural assets.

(2) COM(2010) 245.
IV B. Inclusive growth

32. welcomes that the Commission is intending to focus on stability and growth, whilst also including several important initiatives on social issues in the Work Programme;

33. reiterates the call made to the European Commission in its recent opinion on Social Housing (CdR 71/2011) to put into place as soon as possible an EU framework allowing affordable and adequate housing for all; points out that this framework would be fully in line with the Europe 2020 objectives of eradication of poverty and better health for the EU population; demands also that such a policy framework be aligned with the energy policies of the EU and that energy-related housing renovation should remain eligible under the European Fund for Regional Development as a key element of social cohesion;

34. wonders about the follow-up to the Young Opportunities Initiative announced in the State of the Union address by the President of the European Commission;

35. commits itself to contribute to the European Commission’s package on Social Entrepreneurship which for local and regional authorities is of considerable importance from the combined perspectives as employers, service providers and customers;

36. will contribute to the European Commission’s recommendations on child poverty in line with the EU 2020 objectives to tackle unemployment, social exclusion, and poverty;

37. welcomes the fact that the Agri-Fish Council meeting on 14 November 2011 resulted in a provisional solution for maintaining the food aid programme until 2013 for those who are most deprived, but does regret that there is no agreement to continue the programme beyond 2013. Considers in any event that if the remit for the MDP moves from the Common Agricultural Policy to the European Social Fund then the funds should follow accordingly with the budget structure;

38. will contribute actively to the 2014-2020 multi-annual programmes on health and consumer policy, as well as the e-health programme;

39. underlines the important role of local and regional authorities in exploiting the potential of sports as an element of social integration and healthy living.

IV C. Sustainable growth

40. commits itself to actively contribute to the EU’s preparations for and to actively participate in the United Nations Conference for Sustainable Development in June 2012 ("Rio+20 Earth Summit") and the follow-up of the Summit; calls in this context for the development of a green local economy roadmap at the Rio summit and for the review of the UN governance structures in order to give full recognition to local and regional authorities as key partners in moving towards sustainable development;

41. reiterates its call on the European Commission to bring forward as soon as possible in 2012 a proposal for the 7th Community Environment Action Programme, which sets clear targets and timetables, and places emphasis on mechanisms that can support local and regional authorities in implementing the EU environmental acquis, including the possible extension of the Covenant of Mayors to the broader resource efficiency agenda, with a particular emphasis on sustainable water and waste management;

42. looks forward to assessing the upcoming Energy Roadmap 2050 and reaffirms its commitment to promoting sustainable energy solutions at local level to facilitate the transition to a low carbon energy economy; intends to address the need for more balanced energy policies and support schemes;

43. requests the European Commission when implementing the European Union Biodiversity Strategy 2020 to take account of the CBD COP 10 Decision "Plan of Action on Subnational Governments, Cities and other Local Authorities for Biodiversity (2011-2020)";

44. supports the efforts of the EU towards a global, legally-binding agreement under the remit of the United Nations and welcomes the progress made at Durban as important steps in the right direction calls for the international post-Durban climate debate to continue building upon the advances of the Cancún conference which gave recognition to the crucial role of sub-national government, recognising and supporting more actively the important action on adaptation and mitigation undertaken at local and regional level, including the long-term efforts to build a low-carbon "green" economy;

45. asks for mainstreaming of environmental policy and climate change action priorities into other policy areas to maximise synergies between them;

46. welcomes the ambition to increase the proportion of climate related expenditure to at least 20 % in the context of the EU’s Multiannual Financial Framework beyond 2013. Reiterates however its call on the budgetary authority of the EU to ensure that the EU’s budget and its Multi-Annual Financial Framework is better targeted towards exploiting the full potential of local and regional efforts in climate change mitigation, and increasing the support aimed at medium- and long-term investment in local and regional energy savings and energy efficiency projects, in particular under the Covenant of Mayors;

47. also reiterates in this regard its call for the new LIFE instrument to continue to support local and regional authorities as key beneficiaries and to serve as a catalyst for them to maximise the use of EU funding to carry out ambitious projects in protecting the environment;

48. welcomes the announced review of the nuclear safety regulation.
V. Developing multi-level governance in EU policy making and improving smart regulation

49. welcomes the overall support by the European institutions for multi-level governance (MLG) based European Union policies, drawing particular attention to the cohesion policy legislative package which confirms MLG as one of the leading "general principles"; nevertheless requests the European institutions also to put multi-level governance in practice by mainstreaming a genuine culture of MLG in the preparatory phases of policies and proposing concrete innovative tools and instruments based on MLG and partnership;

50. underlines that an EU Smart Regulation approach, should aim at reducing administrative and financial burdens falling upon local and regional public authorities and private entities in the EU. Such an exercise relies on a policy cycle where legislation is constantly reviewed and adapted to new challenges and circumstances, thorough evaluation and the concrete experience of implementation at all levels of government as well as the introduction of new e-government solutions;

51. is committed to continue monitoring the application of the subsidiarity principle, in particular by collaborating with other EU institutions and with national and regional parliaments;

52. in order to improve the regulatory environment, calls for more territory-sensitive EU impact assessments and proposes to contribute in a more structured manner to the European Commission impact assessments; also intends to develop mechanisms to contribute to the ex-post evaluation of existing legislation, in particular by looking at the way EU legislation is implemented at local and regional level;

53. welcomes the extension of the time for public consultations from 8 to 12 week.

VI. Unleashing the potential of the single market

54. welcomes the European Parliament's support, with EUR 2 million, for the Erasmus programme of training for local councillors, urges the European Commission to ensure there is a swift and effective use of this budget, and confirms its commitment to playing an active role in the development of this programme;

55. reiterates the need that Single Market related legislation respects the social horizontal clause foreseen under article 9 of the Treaty on the Functioning of the European Union;

56. reiterates in relation to the need to update the regulation on compensation for services of general economic interest (SGEIs) (Almunia package) its requests to lift up the de minimis exemption ceilings to 800 000 EUR/year, to widen the scope of exempted social services, to remove the population-related exemption criterion and to abandon the intention to give the European Commission the mandate to measure the efficiency of running SGEI;

57. still expects the European Commission to present as announced in the Single Market Act Communication in April 2011 (3) the 'measures designed to better ensure that SGEIs, including social services of general interest (SSGIs), have a framework enabling them to perform their tasks' and to 'examine the measures to ensure, in conjunction with Article 14 and Protocol No 26, that all citizens have affordable access to essential everyday services which they need in order to participate in economic and social life'. Also expects the Commission to present the announced Communication on a quality framework on services of general interest;

58. welcomes the modernisation of the EU public procurement legislative framework in line with the EU2020 goals, and the further possibilities to include objectives such as combating climate change, protecting the environment, preventing social exclusion and fostering innovation and e-government in public procurement;

59. welcomes the Commission's proposal for a draft Directive and a draft Regulation on credit rating agencies presented on 15 November 2011 and in particular, the objectives to reduce the reliance of financial institutions on credit ratings and to make credit rating agencies more accountable for the ratings they provide; regrets, however that the Commission has not taken on board the European Parliament's call (4) for it to launch a feasibility and impact study on the setting up of a public and independent European credit rating agency;

60. expects the Commission to release a White Paper on Pensions that should be accompanied by proper assessments of the impact on local and regional authorities as they represent the majority of public sector employment in Europe and manage supplementary pension schemes for their staff;

61. stresses the importance of the European Globalisation Adjustment Fund (2014-2020) (EGAF) and its need as a tool to address globalisation-related impact on unemployment. However, as a reactive tool, the EGAF cannot substitute a preventive employment strategy aiming at anticipating long-term economic change and restructuring. Moreover, the EGAF cannot be turned into a compensation scheme for alleviating the impact of free trade agreements. Rejects the proposal that the EGAF should be financed outside the remits of the multi-annual financial framework;

62. highlights the importance of the European Entrepreneurial Region award scheme it launched in 2010 as a cross-border exchange "network" of regions developing tailored regional strategies in order to boost entrepreneurship and to tap into the innovative potential of business;

(3) COM(2011) 206 final.
(4) See point 60 of the European Parliament Resolution of 20 October 2010 on the financial, economic and social crisis: recommendations concerning measures and initiatives to be taken (mid-term report).
63. calls for the creation of "Small Business Act Partnerships" to further implement the Small Business Act (SBA) at regional level and wishes to be involved in the SBA advisory group to be set up.

VII. Pursuing the citizens’ agenda: freedom, security and justice

64. looks forward to the entry into force of the Regulation on the European Citizens’ Initiative, which will enhance the democratic life of the EU by reinforcing citizens’ organised civil society’s involvement in the shaping of EU policies and ultimately forging a strong sense of citizens’ “ownership” of and identification with the Union; is committed to playing an active role in the operation of European Citizens’ Initiatives;

65. underlines the importance of cultivating a European public space, where the concepts of multilevel European identity and citizenship – complementing Member State citizenship and national, regional or local identities – contributes to the strengthening of European democracy; to this effect welcomes the denomination of 2013 as the European Year of Citizens, and highlights the significance of providing adequate resources and programmes to foster fundamental rights, democracy and citizens’ participation in the European project; Therefore in addition to the proposed Justice and Rights and Citizenship Programmes, looks forward to contributing to the adjustment of the expected Europe for Citizens programme to ensure that town twinning partnerships and mechanisms to support decentralised communication are further supported;

66. firmly believes in an open Europe anchored in the high level of protection and full respect of fundamental rights for all; this should constitute the guiding principle behind all action and legislation within the EU’s areas of activity; calls for full implementation of the Charter of Fundamental Rights through concrete actions and initiatives;

67. remains committed to contributing to the full delivery of the objectives of the Stockholm Programme and Action Plan, in particular the development of comprehensive and coordinated policies on migration and asylum, borders and security; recognises the need for smart external borders and underlines the importance of maintaining and enhancing the area without internal borders; therefore welcomes the intention to strengthen the governance of the Schengen system while safeguarding its Community character and ensuring that the necessary responses to external events are based on transparent, common European rules that do not unduly restrict existing cross-border cooperation;

68. in view of the growing challenges in this area, welcomes the considerable budgetary increase proposed for home affairs in the MFF for 2014-2020, and the simplification of the structure of the home affairs programmes from six to two: an Asylum and Migration Fund, and an Internal Security Fund; nevertheless, calls for a balance to be struck between the security and border related strands of the expenditure, and expenditure in areas where actions of local and regional authorities bring a clearer added value such as integration of migrants and reception conditions for asylum seekers;

69. calls for real progress in the actual ability for citizens to move freely across the Union. This includes simplifying procedures for citizens who have chosen to move to the EU, in areas such as recognition of the effects of civil status records, succession rights and divorce settlements;

70. believes that local and regional authorities can offer a credible contribution to the development of a robust framework for civil and criminal law, both at the substantive and procedural levels; therefore supports the intention to enhance procedural rights, to guarantee safety and security throughout Europe and to continue building upon judicial and police cooperation.

VIII. Agriculture and fisheries

71. will actively contribute to the elaboration of the future CAP legislation by insisting on a clearer focus on employment, on greening the CAP, on strengthening its territorial dimension and on the need for regulation of the agricultural sector. Believes moreover that, given the pressing requirement for the CAP to provide not only for food needs but also to achieve Europe's core tasks, it should be brought more into line with the Europe 2020 strategy in order to focus on agriculture-related employment in particular in fragile areas and to allow farmers to receive payments to deliver public goods such as an enhanced approach to food security, the sustainable management of natural resources, biodiversity protection, tackling climate change, and the regeneration of rural areas as a whole;

72. supports fairer distribution of CAP funds using objective criteria that reflect the different economic realities amongst Member States and calls for simplification of the direct payments procedure;

73. regrets that the budget for rural development (EUR 101 bn) will continue to remain disproportionately small compared to the funds allocated to direct payments. Calls for a greater focus on supporting the development of rural economies and diversification and, in particular, on better synergies with the EU cohesion policy to which the Common Strategic Framework give a good legal and political framework;

74. will contribute to the debate on the reform of the EU common fisheries policy and on the European Fisheries Fund, stressing the importance of developing sustainable fisheries, bearing in mind the social and economic development of coastal regions and jobs in the maritime sector to be made more attractive to young people, all the while ensuring harmonious use of the sea’s resources.
IX. **Giving the EU an effective voice in the wider world**

75. welcomes the EU's efforts to support democratic transition processes throughout the world. The CoR reiterates the need to involve all actors in this process in order to enable effective capacity building also at the local and regional levels;

76. will continue to work with the other institutions in bringing forward the territorial dimension of the enlargement process and in encouraging the involvement of local and regional actors from the candidate and the potential candidate countries in the related developments via its competent commission (CIVEX) and specifically via its Working Groups on Turkey and the Western Balkans and its JCC with FYROM; announces the creation of a Joint Consultative Committee EU-Montenegro in 2012 and reiterates the intention to establish Joint Consultative Committees with all the remaining candidate countries, to provide for an appropriate framework to accompany accession negotiations from a local and regional perspective;

77. will continue to use the support of the European Commission for the Local Administration Facility (LAF) and co-organise the study visits of elected local politicians and senior staff from accession and pre-accession countries to Brussels with the purpose to introduce them to the work of the EU and familiarise them with parts of the acquis communautaire. Plans to further develop the co-organisation of the LAF events in the respective countries in order to widen the audience and impact of this TAIEX financed facility for local and regional authorities; furthermore reiterates its suggestion that equivalent initiatives should be developed for the neighbourhood countries in order to support their capacity building at local and regional level;

78. recall that the objectives of the European Neighbourhood Policy including the consolidation of democratic reforms and progress towards "deep democracy" cannot be achieved without the active support of local and regional authorities and will continue to invest the effort and resources into the development of the local and regional dimension of the ENP;

79. attaches great importance to the work done and opportunities offered by the Euro-Mediterranean Regional and Local Assembly (ARLEM) and the Conference of Regional and Local Authorities for the Eastern Partnership (CORLEAP) in achieving the goals of the ENP. Responding to the request of the Warsaw Eastern Partnership Summit of the Heads of the State and Government the CoR will work towards transforming CORLEAP into a permanent institutional framework for cooperation and will step up the effort to bring the local and regional authorities from partner countries closer to the EU;

80. will continue to work for the increased participation of local and regional authorities in the definition, implementation and evaluation of development cooperation strategies. To that end the CoR will support greater coordination of actions among all actors and promote the multilevel and partnership approach to ensure effective delivery of development assistance; will also, in practical terms, continue its close cooperation with the European Commission in particular in the organisation of the Assises of decentralised cooperation and the promotion of both the Atlas of decentralised cooperation which maps existing cooperation projects and the internet portal that facilitates networking and partnership to develop projects and ensure aid is more effective;

81. instructs the CoR President to submit the present resolution to the President of the European Council, the European Parliament, the European Commission, the Polish Presidency of the Council of the EU and the forthcoming Danish and Cypriot Presidencies.


The President of the Committee of the Regions

Mercedes BRESSO
Opinion of the Committee of the Regions on ‘Promoting agricultural products’
(2012/C 54/02)

THE COMMITTEE OF THE REGIONS

— acknowledges the limited scope of the promotion measures applied to date outside the EU, and consequently urges the Commission to look at ways of recalibrating them, since the EU’s lead in exporting agri-food products must be successfully maintained;

— agrees with the Commission on the need to strengthen local markets;

— considers that promotion of the European Food Model is not compatible with the use of genetically modified organisms and that there should be no place for policies promoting GMO-based products;

— advocates stepping up information on the health benefits of eating healthy and balanced food;

— would support initiatives for the extension of compulsory labelling of place of farming on produce;

— considers it vital to have specific information and promotion tools that are more effective than the present ones, ensuring a rapid response to crises so as to regain the confidence of consumers and transmit this confidence to producers;

— believes that the choice of programmes should not be made exclusively at European level and calls for the regions to be involved in the selection processes and for them to drive proposals, given their knowledge of local players and markets and, in particular, of small-scale production;

— is of the view that when negotiating international agreements, the Commission must take heed of the interests of European agri-food producers;

— believes that, in order to ensure greater effectiveness, the promotion measures introduced directly by the Commission should be better coordinated with those implemented by producers via multi-annual programmes;

— considers that it should be possible for any product from the EU, with the exception of tobacco and spirit drinks, to be covered by the promotion system, although it believes that priority should be given to measures for products that contribute to a healthy, balanced diet and to those for other products that have differentiated quality indications linking them geographically to Europe.
I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS,

General aspects

1. has carefully examined the Green Paper on promotion measures and information provision for agricultural products: a reinforced value-added European strategy for promoting the tastes of Europe and warmly welcomes this initiative;

2. considers that the European agricultural sector is crucial to the development of local and regional economies, making a very significant contribution to job creation and enabling populations to stay in rural areas, and also considers that this policy is crucial to consolidating the sector’s activity;

3. agrees that the strides made by EU producers in the areas of sanitation, the environment or animal welfare, and on products covered by European quality systems (PGI, PDO, TSG, organically farmed products), are not always known to or recognised by the market, which can lead to some frustration among producers;

4. believes that Europe’s production model clearly sets it apart from competitor countries, and that this model therefore needs to be promoted in order to make it better known;

5. is aware that the EU possesses a world-class heritage in the diversity of its agri-food products, and that this must be harnessed and publicised both within and beyond the European Union;

6. notes that regions and regional authorities are key partners in rural development and the development of local markets and that they offer indispensable support in organising the collective promotion of small-scale production and local markets;

7. is pleased that the promotion policy so far pursued has been able to help win back consumer confidence in the wake of events such as the dioxin and BSE crises, although it considers that this policy should be equipped with far more agile and time-efficient information tools so that it can help to resolve emergencies such as the E.Coli outbreak more rapidly and thereby restore consumer confidence as quickly as possible;

8. acknowledges the limited scope of the promotion measures applied to date outside the EU, and consequently urges the Commission to look at ways of recalibrating them, since the EU’s lead in exporting agri-food products must be successfully maintained;

9. feels that the existing strategy should be developed more in line with the aims of the policies concerning quality in both the EU and the individual Member States because of the different preconditions regarding production and marketing. In particular, the existing rules should be made much more flexible and the application and settlement process streamlined so that EU promotion measures can be used more efficiently and effectively;

10. points out that, in view of the developments in EU sales promotion, EU quality policy and CAP reform, existing EU legal requirements concerning sales promotion measures in the Member States, the regulatory framework for state aid in the agricultural and forestry sector for the period 2007-2013 and Commission Regulation No 1857/2006 on the application of Articles 87 and 88 of the EC Treaty to state aid for small and medium-sized firms active in the production of agricultural products should be reviewed in the light of the above-mentioned objectives and preconditions;

11. agrees that the multi-country and multi-product initiatives have proved unattractive, and calls upon the Commission to look closely at the underlying causes, and to continue supporting such programmes, particularly the multi-product programmes;

What should the aims of the agricultural product information and promotion policy be and what contribution should it make?

12. considers that promoting European agricultural and agri-food products, whether on the internal market or in third countries, is a good way of boosting employment in rural areas, given that production and processing are closely linked to specific places and that this geographical dimension should remain a key element in the bid to secure the balanced development of Europe’s regions;

13. agrees that information and promotion policy for agri-food products must be ambitious, have a differentiated strategic approach according to the product and market concerned, and ensure due complementarity between all currently available instruments in order to achieve greater synergies and boost their effectiveness;
14. feels that, in future, sales promotion possibilities must go beyond merely representing a generic European image and that it must be made much easier: to indicate collective brands, including territorial brands, not least those promoted by regions and meeting precise specifications, to indicate geographical origin and mode of production, and for small and medium-sized firms to have access to funding. Anyone who wants consumers in both the internal market and in non-EU countries to develop a taste for something must also support the emergence of brand loyalty;

15. points to the need for one of the aims of information and promotion policy to be that of restoring consumer confidence, both within the EU and beyond, in the event of any future food crises;

16. would welcome further steps to inform consumers of the meaning of quality certificates;

What information and promotion measures should be put in place to develop stronger local and regional markets?

17. agrees with the Commission on the need to strengthen local markets with policies that draw attention to both the diversity of local products and their social, cultural and historical links with consumers in the territories or regions where they are produced, as well as their contribution to improved environmental performance as a result of lower CO₂ emissions at the transport, processing and packaging stages;

18. advocates harnessing synergies between regional and local market support instruments and the other European funds: this can be achieved by including measures for these markets in the various rural development programmes, using a LEADER-type approach. To this end, the Commission must press for all rural development programmes in the European regions to include measures to foster strategies associated with the development of local markets, disseminate "slow food"-type strategies, encourage the consumption of locally-sourced food, zero food-miles cooking, etc., and to promote a closer link between producers and consumers;

19. stresses the importance of supporting and promoting high-quality agricultural products from less favoured areas of the European Union such as upland regions, outermost regions, remote regions, islands, etc., in order to encourage their production in the longer term, especially in light of the state aid debate on the issue of sometimes decidedly unfavourable production and promotion conditions requiring greater financial support;

20. considers that promotion of the European Food Model is not compatible with the use of genetically modified organisms and that there should be no place for policies promoting GMO-based products;

What are the specific needs in relation to information on and promotion of European products and what should the aims be in the internal market?

21. agrees on the need to make a special effort to publicise European quality systems (PDO, PGI, TSG and organic farming) not only among consumers but increasingly among producers too, highlighting the features that differentiate them from other products and the advantages to be gained from producing, acquiring and consuming them;

22. regrets that the draft regulations for the post-2013 CAP presented by the European Commission, and more specifically the EAFRD regulation, provide no instruments for promoting high-quality products (there is no equivalent to Axis 1, Article 33) while full use has yet to be made of the Green Paper consultation on the promotion of agricultural products. It calls for concrete proposals to be framed to replace the current measures, for the draft regulations on the post-2013 CAP to continue to provide for promotional measures, with improvements for high-quality products, and for the two reforms’ timetables to be lined up;

23. advocates stepping up information on the health benefits of eating healthy and balanced food, and urges that extra efforts be made with regard to the younger sectors of the population. To this end, school campaigns on healthy, balanced eating could be stepped up and supported with added focus on making locally-produced healthy food products available to students;

24. would support initiatives for the extension of compulsory labelling of place of farming on produce and would encourage similar labelling initiatives designed for the catering trade;

25. considers it vital to have specific information and promotion tools that are more effective than the present ones, ensuring a rapid response to crises so as to regain the confidence of consumers and transmit this confidence to producers;

What measures should be developed to achieve the aims set and thus optimise the European Union intervention in the internal market?

26. considers that the measures to be developed within the EU must use all available marketing and media tools, selecting the most effective ones in each case depending on the message to be conveyed and the target audience, and considers access to these tools for all agricultural producers either individually or collectively to be essential;

27. believes that the choice of programmes should not be made exclusively at European level. Past experience shows that involving the Member States directly in the choice of programmes leads to a higher degree of acceptance and motivation among applicants and programme participants. At the same time, this is in keeping with the principle of subsidiarity and takes better account of the situation on the ground;
28. with this in mind, calls for the regions to be involved in the selection processes and for them to drive proposals, given their knowledge of local players and markets and, in particular, of small-scale production. The regions provide critical support for and sometimes even initiate collective marketing operations for small producers and small-scale production;

29. believes there is a need to conduct generic campaigns publicising the advantages of consuming products from the European Union on account of their quality, safety, environment-friendliness and animal welfare aspects that stem from stringent obligatory production standards, not to mention even more stringent standards established by Member States through voluntary product specifications. It strongly urges that, in the case of geographical indications, mention be made of any aspects that link a product to its Member State or region of origin;

30. considers that, with a view to incorporating a European dimension, all promotion measures financed directly by the European Commission, whether generic or for specific products or product ranges, should feature slogans, common messages or shared values to be drawn up by the Commission;

31. welcomes the European Commission's proposal to set up a European platform for exchanging good practices that would help to improve the design and definition of multi-country programmes;

32. draws the Commission's attention to the fact that the European agri-food sector is putting major efforts into external promotion. The EU has a very significant official role to play in facilitating entry into and consolidation on external markets through official promotion and information campaigns, and suggests that when defining such campaigns, the Commission should always take account of the differing situations in the Member States and between European agri-food sector operators;

33. is of the view that when negotiating international agreements, the Commission must take heed of the interests of European agri-food producers and put promotion measures in place in those countries with which it concludes agreements, in order to ensure sufficiently broad and deep penetration of their markets;

34. considers that the future of the CAP is linked to the future EU trade policy, therefore to achieve an effective promotion in external markets, the European Commission should step up its efforts to ensure that there is a level playing field in the context of the WTO and insist on the need to step up protection of Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI) in the context of the Anti-Counterfeiting Trade Agreements (ACTA);

35. one of the better ways of safeguarding EU agri-food products is to ensure that all foods sold in the EU (including imports) are subject to the same or equivalent food hygiene and food safety regimes;

What measures should be developed to achieve the aims set and thus optimise the European Union’s intervention in the external market?

36. believes that, in order to ensure greater effectiveness, the promotion measures introduced directly by the Commission should be better coordinated with those implemented by producers via multi-annual programmes;

37. urges the Commission to step up and extend support measures for European Union producers on external markets by means of a varied and flexible catalogue of measures, tailored to the individual markets targeted and the types of products promoted;

38. considers it crucial to introduce measures enabling SMEs to gain reader access to marketing processes on the external market, in particular via the internet. Setting up networks could be helpful in this regard. Giving higher priority or more concentrated aid to measures undertaken by small and medium-sized groups of businesses might also be envisaged;

Who should benefit? Should priority be given to certain beneficiaries?

39. is aware of the difficulty involved in private stakeholders making a financial contribution to generic promotion campaigns intended to promote or provide information on the European production model or quality systems. Such campaigns should therefore be conducted and financed by the Commission;

40. stresses that effective sales promotion cannot be assured only by sector and inter-professional sector organisations, as is stipulated in the present rules, and that Member States’ institutions, particularly their regional collective marketing companies promoting high-quality food and agricultural products, must also be allowed to become involved on an equal footing;

41. takes a positive view of the measure to promote wine in third countries, and thinks that this model could be applied to other products. This would enable private actors to gain access to external promotion, which is seen as necessary in sectors that are poorly structured or lack representative organisations;

Are there any conceivable synergies between the various promotion and information tools available to the EU?

42. believes that the distinction between each of the existing promotion measures should be maintained, as each of them matches a particular product or product range and fits a specific situation in terms of the size of the sector, how structured it is, the target market etc., and that specific information and promotion measures should be retained in addition to the horizontal system;
by the same token, calls on the Commission to ensure consistency between the packages of measures under quality policy and promotion policy;

Which agricultural and agri-food products should be eligible and what criteria should be used to decide?

considers that it should be possible for any product from the EU, with the exception of tobacco and spirit drinks, to be covered by the promotion system, although it believes that priority should be given to measures for products that contribute to a healthy, balanced diet, such as fruit and vegetables, milk, olive oil, etc., and to those for other products that have differentiated quality indications linking them geographically to Europe;

To be more incisive, which means of promotion should be used?

shares the Commission's positive view of combining key messages, to be drawn up by the Commission and included in all promotion measures highlighting both the European production system and the benefits of a healthy, balanced diet, with specific messages for product ranges, with a view to publicising the European agri-food heritage with all its diversity, tradition and quality;

notes that the procedure should be made more flexible in many ways so as to be able, in particular, to react to short-term developments on the relevant markets. Measures should include a timely adjustment of directives, more opportunities for resource redeployment without an additional contract, a better adaptation of current programmes to changing market trends, less insistence on details in the programme application and faster decisions by the Commission;

considers that the product's origin should be highlighted whenever possible, without obscuring the reference to the European Union;

believes in particular that collective brands, including territorial brands, not least those backed by regions and meeting precise specifications, may be used. It might also be useful in future for sales promotion possibilities to go beyond merely representing a generic European image and it must be made easier, especially for small and medium-sized firms, for brands and producers to be named in addition to the exceptions so far allowed, provided that:

— they are included in or linked to the promotion of a collective brand; and

— the private brands associated with the operation cannot directly receive European funding;

considers that European-level professional organisations can and must play an important role as a catalyst for the multi-country programmes, but that management procedures and structures must be made more flexible for this purpose;

What should Europe's budget be to ensure we can achieve our objectives?

agrees that programmes should continue to be co-financed, and that in specific cases the rate could exceed the current 50 % ceiling, primarily for external promotion measures. Regarding the necessary budget, it suggests that the Commission should look at the resources deployed by the EU's competitor nations, such as the US, and put forward an estimate of the budget needed in this light.

Brussels, 14 December 2011.

of the Committee of the Regions
Mercedes BRESSO
Opinion of the Committee of the Regions on ‘An EU framework for national Roma integration strategies up to 2020’
(2012/C 54/03)

THE COMMITTEE OF THE REGIONS:

— stresses the need for national governments to fully involve regional and local authorities in national Roma integration policies, given that social and economic integration takes place primarily at local level; this also implies that national governments need to make the necessary funds available to local and regional authorities to carry out Roma integration policies;

— calls on national governments to support the efforts made by regional and local authorities to integrate the Roma by putting in place coherent national policies and legislation in cooperation with their local and regional levels within a clear European framework, in which aims and means of the different level policies are coordinated;

— emphasises that the disadvantages faced by the Roma population in terms of discrimination, poverty, inadequate education, labour market obstacles, segregated housing and restricted access to health and social services need to be tackled at all levels across Europe; would, however, point out that Roma is an umbrella term which includes other population groups (the Sinti, Gypsies, Travellers, Kalė, Camminanti, Ashkali, etc.) with similar cultural characteristics and a history of marginalisation and exclusion from European society, who cannot all be assimilated within a single socio-cultural identity;

— believes that in order to achieve these objectives, it is strategically important to take account of the gender dimension and to combat the multiple forms of discrimination suffered by Roma women, both within and outside their own community. There is a need to promote women’s participation and for them to assume social responsibilities, providing them with opportunities for education, training and employment. These steps would have positive repercussions for families as a whole and on children’s health and education.
I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. welcomes the communication from the Commission on An EU Framework for National Roma Integration Strategies up to 2020 as an important step towards better coordination of Roma integration strategies across Europe;

2. agrees with the EU Council Conclusions on the communication from the Commission of 19 May 2011, inviting the Commission to continue the work of the Roma Task Force, so as to mainstream Roma inclusion within EU policies and assess the role of EU funds in efforts to advance Roma inclusion in the EU as well as in the context of enlargement policy;

3. takes note of and welcomes the European Parliament report on The EU strategy on Roma inclusion, adopted on 9 March 2011 (1), which called on the Commission to adopt priority areas for the strategy and to present a roadmap for introducing binding minimum standards at EU level for the priority areas of education, employment, housing and health care;

4. reiterates its offer to work with the Commission, European bodies and Member States in order to promote policy coherence and consistency, as well as the development of common measurement standards, intended to counter all forms of segregation and discrimination with respect to the Roma and promote their inclusion (2);

5. emphasises that the disadvantages faced by the Roma population in terms of discrimination, poverty, inadequate education, labour market obstacles, segregated housing and restricted access to health and social services need to be tackled at all levels across Europe; would, however, point out that Roma is an umbrella term which includes other population groups (the Sinti, Gypsies, Travellers, Kalé, Camminanti, Ashkali, etc.) with similar cultural characteristics and a history of marginalisation and exclusion from European society, who cannot all be assimilated within a single socio-cultural identity;

6. stresses the need for national governments to fully involve regional and local authorities in national Roma integration policies, given that social and economic integration takes place primarily at local level; this also implies that national governments need to make the necessary funds available to local and regional authorities to carry out Roma integration policies;

7. calls on national governments to support the efforts made by regional and local authorities to integrate the Roma by putting in place coherent national policies and legislation in cooperation with their local and regional levels within a clear European framework, in which aims and means of the different level policies are coordinated;

8. welcomes the Commission’s recognition that an approach which is clearly targeted at the Roma and their very specific needs while being firmly anchored within the broader strategy to fight poverty and exclusion, is not only compatible with the principle of non-discrimination both at EU and national level but is, in fact, the only way to address this specific problem;

9. welcomes the Commission’s emphasis on the need for policies that take account of specific territorial factors and identify disadvantaged micro-regions requiring specific measures;

10. agrees with the Commission that, in order to tackle the social exclusion of the Roma and to improve their situation, it is not enough merely to prohibit discrimination on the grounds of race, colour, ethnic or social origin or membership of a minority (as laid down in Article 2 of the Treaty on the European Union and Article 21 of the Charter of Fundamental Rights) or to put in place social and economic measures;

11. considers that the need to combat prejudices, racism, discrimination (both direct and indirect, with special attention to multiple discrimination) and segregation must constantly be highlighted, as must the need for a change of attitude on the part of the general population;

12. welcomes the Commission’s aim of promoting national Roma integration strategies by laying down achievable, measurable and comparable goals, timescales and instruments, providing opportunities for technical assistance to improve their management, monitoring and evaluation capacities, and programming EU funding to supplement and support national Member State allocations;

(1) INI(2010)2276.
(2) CoR opinion The social and economic integration of the Roma in Europe.
13. supports the Commission’s efforts to map out practical instruments to achieve the objectives of the EU framework, such as the joint action with the Council of Europe to train some 1,000 Roma mediators over two years to boost the educational integration of Roma children and strengthen links with the Roma community;

The four priority objectives for Roma integration: access to education, employment, health care and housing

14. considers that in many Member States regional and local authorities have specific powers in the four priority areas for action identified by the Commission as of strategic importance in countering the segregation and social and economic exclusion of the Roma population, and is convinced that social cohesion is forged at local level;

15. with regard to the four priority objectives, considers that the Commission should urge the Member States to establish practical, measurable and comparable indicators with a view to setting up a robust monitoring system that can measure the progress made in integrating the Roma population and overcoming their disadvantages;

16. agrees with the objectives concerning:

— **Access to education:** to ensure that all Roma children, regardless of whether or not they are sedentary, complete their primary education and have access to a high standard of education without discrimination or segregation; to improve access to quality early childhood education and care which assures equal treatment and the compliance with the principle of equal opportunities, to reduce the number of early school leavers from secondary education and, in general, to promote illiteracy eradication among Roma population;

— **Access to employment:** to cut the employment gap between the Roma and the rest of the population, guaranteeing full access in a non-discriminatory way to vocational training, the job market and self-employment, by encouraging the use of microcredit and mediation strategies offered by public employment services;

— **Access to health care:** to provide normalised access to quality health care especially for women and children, as well as preventive care and guaranteed access to social services for the Roma at a similar level as for the rest of the population, actively involving the Roma in health programmes designed for them; and also to pursue the reduction of the gap between the Roma community and the European average in specific health indicators;

— **Access to housing and essential services:** to promote non-discriminatory access to housing, including social housing, and to essential services such as water, electricity and gas, also addressing the particular needs of non-sedentary Roma;

17. believes that in order to achieve these objectives, it is strategically important to take account of the gender dimension and to combat the multiple forms of discrimination suffered by Roma women, both within and outside their own community. There is a need to promote women’s participation and for them to assume social responsibilities, providing them with opportunities for education, training and employment. These steps would have positive repercussions for families as a whole and on children’s health and education;

18. is convinced that the mobility of the Roma population within Europe may be due not only to the lack of economic and employment opportunities, but also to social exclusion and discrimination in terms of access to services. Consequently, European strategies and funds are needed to cope with this mobility and to foster cooperation between regions of origin and host regions;

Monitoring subsidiarity and proportionality

19. evaluates compliance with the principles of subsidiarity and proportionality, as set out under Article 5 of the Treaty on European Union, as follows:

— the Commission’s communication complies with the principle of subsidiarity, since the transnational character of the European Roma community, and the shared aspects of social exclusion that this community faces in various parts of Europe, are such that the measures proposed can best be implemented at EU level;

— the measures adopted do not introduce new legal instruments as, first, they fall within the scope of the open method of coordination, and second, many of them are based on existing legislative frameworks, in line with the principle of proportionality;

20. takes note of the Report on the consultation of the Subsidiarity Monitoring Network, and appreciates its contribution:

— viewing the subject of the Commission’s communication as among those that are sensitive from the subsidiarity point of view, the CoR’s Subsidiarity Monitoring Network launched a consultation with the network’s partners, which was concluded on 5 August 2011. In its conclusions, the report judges that the communication from the Commission is necessary as it brings added value, thereby complying with the subsidiarity principle;
— it states that the Roma community must preserve its identity;

— it also emphasises that national and regional policies have proven to be somewhat ineffective in tackling exclusion and poverty, while purely national initiatives lack coherence, and the framework created by them is thus perceived to be fragmented;

— more specifically, the respondents’ contributions indicate that Roma integration is perceived as a transnational issue that should be tackled in a coordinated manner, and that their integration could affect several Member States at the same time;

— EU action in this field could bring a range of benefits, such as improving the coherence and effectiveness of Member States’ national strategies or introducing a comprehensive and integrated approach. EU action is also seen as capable of improving the sharing of information and contacts and of co-financing projects in the field of integration. EU action could be very effective in raising awareness of the need to improve the situation of Roma people;

— the consultation also stresses that the Member States, together with regional and local authorities, should be able to develop appropriate strategies which take into account local circumstances and reflect the size and nature of the Roma population. It therefore underlines that the involvement of local and regional authorities in the design and planning of these measures is thus essential to their success;

21. with regard to existing coordination instruments, including the open method of coordination, considers that the most effective means of providing the Member States with tools for more structured cooperation must be assessed, specifically in order to systematically incorporate Roma-related issues into European and national policies and to introduce mandatory minimum standards for promoting the social, economic and cultural integration of the Roma minority;

22. also considers that there is an on-going need for stronger multilevel governance that brings the regional and local authorities into decision-making processes and does not view them purely as implementing bodies, but equips them with the tools and financial resources to tackle the challenges of Roma integration;

Final recommendations

23. recommends that the Member States draw up their own national Roma integration strategies or review existing ones, in accordance with the Commission’s timetable, bringing regional and local authorities into the decision-making and implementation processes, and making full use of their best practices. It considers that without the close involvement of these authorities, it will not be possible to achieve the objectives of the EU Framework for Roma Integration Strategies up to 2020;

24. recommends that the Member States and regional and local authorities devise, implement and monitor their own Roma integration strategies in close cooperation with Roma civil society. They should introduce channels to represent, consult with and involve Roma civil society in designing, adopting, implementing, monitoring and evaluating the policies and projects that concern it;

25. recommends that the Member States, in close cooperation with regional and local authorities, establish effective monitoring systems, to assess the impact of Roma integration methods, so that these may be shared with all relevant authorities and interest groups;

26. recommends to implement the decisions taken during the Summit of Mayors on Roma in Strasbourg on 22 September 2011 without delay;

27. recommends that the Member States prepare strategies to address the issue of integrating the Roma population not only from the standpoint of a socially and economically disadvantaged group, but also from that of a national minority with rights under the Framework Convention for the Protection of National Minorities (ETS No 157), as recommended by the Council of Europe;

28. asks the European Commission to secure the necessary financial and other resources for the implementation of the various action plans and initiatives;

29. recommends that the Member States and regional and local authorities promote initiatives to highlight Roma culture and identity, as such initiatives are crucial to tackling stereotypes, xenophobia and racism, and to promoting social and economic integration without erring on the side of cultural assimilation;

30. recommends that the Member States and regional and local authorities implement strategies aimed at countering anti-Roma prejudices, racism and discrimination, it being understood that socio-economic measures alone, in the absence of a real change of attitude on the part of the general population, are not enough to promote the integration of the Roma population;

31. recommends that the Member States and regional and local authorities adopt practical and specific measures to overcome disadvantages and guarantee the Roma population equal access to education, health and social services, housing and essential services, in part by strengthening links with the Roma population through Roma cultural mediators;
32. recommends that Member States and regional and local authorities should promote consistency between the implementation of the Roma integration strategy and EU strategies to reduce poverty and social exclusion and to prevent the marginalisation and exclusion of Roma children, starting from earliest infancy, by ensuring education services, assistance and care for the under-threes in order to guarantee their total integration and to protect their rights. Due to the intergenerational aspects of social and economic exclusion, reducing child poverty and segregation significantly reduces future exclusion and social, economic and employment discrimination;

33. recommends that regional and local authorities should pool their best practices in the field of Roma integration, since they are aware that networks such as Eurocities, and international bodies and other governmental and non-governmental stakeholders in the four priority sectors identified, can help to implement the EU Framework for Roma integration by adopting a local point of view and involving cities from all the countries of Europe;

34. recommends that the Member States heed the Commission’s call for them to use the programmed EU financing to support efforts in the field of Roma inclusion, including the Social Funds, the European Agricultural Fund and the European Progress Microfinance Facility, involving not only local and regional authorities and Roma civil society, but also the consultative participation of international organisations, religious organisations and NGOs in making use of EU technical assistance in order to enhance their project management, monitoring and evaluation capacities.

Brussels, 14 December 2011.

The President
of the Committee of the Regions
Mercedes BRESSO
Opinion of the Committee of the Regions on ‘European neighbourhood policy review’

(2012/C 54/04)

THE COMMITTEE OF THE REGIONS

— considers that greater involvement of local and regional authorities in neighbourhood policy can boost public awareness of, participation in, and support for the aims of the policy, and counteract the impression that it is exclusively the national governments and the Brussels institutions which are responsible for governing our continent, in this sense, local and regional authorities can also help to overcome dangerous tendencies of isolationism or renationalisation which may otherwise jeopardise the stability of countries and regions both inside and outside the EU;

— attaches great importance to the work done and opportunities offered by the Euro-Mediterranean Regional and Local Assembly (ARLEM) which allows for the participation of regional and local authorities in the Euro-Mediterranean political debate, and gives the territorial dimension of projects selected by the Secretariat-General of the Union for the Mediterranean (UfM). It also ensures the exchange of best practices and contributes to achieving the goals of the ENP;

— equally supports the Conference of Regional and Local Authorities for the Eastern Partnership (CORLEAP) as the network of multilateral cooperation between regional and local authorities from the EU and the Eastern Partnership countries which aims to further engage these authorities in the delivery of the ENP. It also intends to work with the local and regional authorities from Eastern partners to establish a permanent institutional framework of cooperation;

— recommends the intensification of neighbourhood policy in the whole Black Sea area. The continuing geopolitical importance of this region for the EU should be emphasised, as should the importance of the Black Sea Synergy. EU countries bordering on this area should receive meaningful EU support for their neighbourhood policy activities.
I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

Introductory remarks

1. commends the Commission proposal and its overarching objective, which strongly underlines the importance of supporting efforts to build deep democracy and political reform in the partner countries. Local and regional authorities in the Union have an undisputable role to play as democratic and political bodies and are central to building democracy. They will therefore be pleased to contribute to these neighbourhood policy efforts;

2. greatly welcomes the development of the European Neighbourhood Policy (ENP) to date, with its growing diversification and adaptation to specific needs and situations. The Committee of the Regions welcomes the fact that the original 2004 "one size fits all" project is being developed into increasingly specialised, "tailor-made" instruments;

3. welcomes the developing specialisation of European Neighbourhood Policy into the Eastern Partnership, the Union for the Mediterranean (UfM) and the emerging Black Sea Synergy;

4. considers that the diversification of the ENP should go further and that the neighbourhood policy should become a genuine component of an ambitious and coherent European external policy and an increasingly specialised instrument of this;

5. stresses that the neighbourhood policy pursued in the regions and by the regions can be an effective instrument for promoting the values underpinning the European Union - respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities;

6. recommends that neighbourhood policy should invite all regions of the EU to be involved, drawing on regional and local authorities' expertise and experience in the field of external relations;

7. considers it particularly important to raise public awareness of neighbourhood policy in the regions;

8. stresses the importance of developing both the governmental and people-to-people levels in the European Neighbourhood Policy. The role of local and regional authorities can be particularly important in building targeted, responsible forms of cooperation with civil society organisations, but as public authorities, they should also play their part in building contacts at the administrative/official level;

9. considers that greater involvement of local and regional authorities in neighbourhood policy can boost public awareness of, participation in, and support for the aims of, the policy, and counteract the impression that it is exclusively the national governments and the Brussels institutions which are responsible for governing our continent, in this sense, local and regional authorities can also help to overcome dangerous tendencies of isolationism or renationalisation which may otherwise jeopardise the stability of countries and regions both inside and outside the EU;

10. stresses the importance of cooperation between non-neighbouring EU and non-EU regions;

11. recommends supporting not just economic growth per se, but also sustainable development in the neighbouring countries, with a particular focus on reducing regional and social disparities;

12. endorses the Commission's proposal to encourage and support partnerships. Long-term cooperation between all stakeholders in society promotes pluralism and commitment at a number of levels, which in turn improves the preconditions for sustainable economic, social and democratic development;

13. considers that the work and methods of the regions can make a particularly useful contribution to the European Neighbourhood Policy, supporting ENP instruments like TAIEX, SIGMA, regional and town twinning and ENP Action Plans;

14. endorses the Commission's suggestion that effective regional partnerships can be built in spheres such as SME development, the environment, education, youth opportunities, culture, transport, research, rural development and employment. Local and regional authorities in the EU have a great deal of experience and practical expertise in these areas and would welcome involvement in partnerships;

15. supports the main arguments set out in the Committee of the Regions' opinion on A strong European Neighbourhood Policy and draws attention to its importance and topicality;
16. draws attention to the role of the EU institutions in ensuring the effective use by partner countries of available resources and suggests that the focus be on practical cooperation bringing concrete results;

17. strongly emphasises that the EU budget for 2014-2020 must guarantee appropriate funding for implementation of the ENP;

18. commends the Commission’s wish to simplify and streamline various financial instruments and underlines the potential impact and benefit of doing this;

**Differentiation of neighbourhood policy, its methods and the role of the regions**

19. is convinced that the necessary differentiation of neighbourhood policy should not be purely formal in character, consisting of a geographical division into southern and eastern dimensions;

20. recommends that neighbourhood policy be differentiated in line with the degree of functioning democracy (i.e. democratic processes), respect for human and citizens’ rights, the rule of law, as well as the progress of the process of systemic/economic transformation (with special emphasis on the implementation of free-market principles) in individual countries. The better targeted neighbourhood policy is, the more effective it will be;

21. considers it appropriate to create policy instruments making it possible to treat social, national or regional and local government action in a differentiated way in accordance with their respective characteristics and opportunities. Action in these different areas should be coordinated but need not, and often should not, be conducted in parallel;

22. considers that in the context of neighbourhood policy at government level the "more for more" principle is clear and justified;

23. considers, however, that at the level of society the "more for more" principle is less clear and too formal; its application could even be counterproductive, hindering existing bottom-up contacts. If social contacts are to be effective, there must be continuity and they must be as informal as possible;

24. moreover considers that the involvement of local and regional authorities cannot replace that of social groups and the third sector;

25. stresses that the participation of the third sector should be acknowledged as an important component of neighbourhood policy requiring specialised instruments;

26. emphasises the role of local and regional authorities in developing closer trade contacts and considers that closer economic integration can act as a catalyst for social and political change. Also encourages the ENP countries to set up free trade areas;

27. attaches great importance to the work done and opportunities offered by the Euro-Mediterranean Regional and Local Assembly (ARLEM) which allows for the participation of regional and local authorities in the Euro-Mediterranean political debate, and gives the territorial dimension of projects selected by the Secretariat-General of the Union for the Mediterranean (UM). It also ensures the exchange of best practices and contributes to achieving the goals of the ENP;

28. equally supports the Conference of Regional and Local Authorities for the Eastern Partnership (CORLEAP) as the network of multilateral cooperation between regional and local authorities from the EU and the Eastern Partnership countries which aims to further engage these authorities in the delivery of the ENP. It also intends to work with the local and regional authorities from Eastern partners to establish a permanent institutional framework of cooperation;

29. urges the European Union, the Union for the Mediterranean, national governments and international actors to further work with ARLEM, which brings together the Committee of the Regions and the associations of regional and local authorities in order to ensure more coordinated and effective action around the Mediterranean;

30. recommends that social contacts should above all be of a direct, person-to-person kind. The important thing is the personal commitment of participants and not merely involvement in institutional roles and action;

31. considers that there is a need to interest cities and regions in cultural exchange. This is an area where the third sector can be particularly effective. This does, however, require clear support from national governments and local and regional authorities;

32. considers that there is a need to counter balance the differences of interest between groups of regions based on their different geographical locations. The overall coordination of EU foreign policy must ensure that differentiation does not lead to "competition" between the South and the East, and the specialisation by regions in individual areas of neighbourhood policy must not give rise to or accentuate differences of interest or rivalry in the negative sense;

33. considers that the institutionalisation of neighbourhood policy should facilitate and support involvement and action by regions "at a distance" (e.g. cooperation by Central European regions in the Mediterranean area, or by Western European regions in Eastern Europe). This would strengthen the regions' feeling of shared responsibility for the ENP as a whole;

34. considers that the special role of the regions located on sensitive EU borders in the East and South needs to be strengthened. These regions are directly concerned by the problems of the European neighbourhood. European Neighbourhood Policy should on no account be conducted over their heads and it should take account of their specific interests;
35. recommends that the EU’s border regions should receive specific support under the European Neighbourhood Policy;

36. considers that the European Neighbourhood Policy should take account of the existing relations with third countries, notably Russia, particularly in the East. Regions should be made aware of this aspect of the ENP, and appropriate forms of cooperation with all the third countries concerned should be supported;

37. declares its intention of supporting the process of democratisation in individual bordering countries by continuing to co-organise election monitoring missions with the Council of Europe’s Congress of Local and Regional Authorities of Europe;

Conditions for neighbourhood policy in individual countries

38. considers that there is a need to take account of the specific conditions for Eastern Partnership and neighbourhood policy action in the Caucasus;

39. notes that Georgia requires systematic ongoing support under the Eastern Partnership in view of the effects of the 2008 conflict;

40. recommends the intensification of neighbourhood policy in the whole Black Sea area. The continuing geopolitical importance of this region for the EU should be emphasised, as should the importance of the Black Sea Synergy. EU countries bordering on this area should receive meaningful EU support for their neighbourhood policy activities;

41. considers Moldova to be a special case. Given the significant progress achieved by neighbourhood policy and the Eastern Partnership here, there is a need for the broadest possible interest in the development of this country. Even partial success here could have a major impact on the promotion of neighbourhood policy and EU external policy;

42. calls for attention to be paid to the specific situation of the Kaliningrad Oblast, which despite its location is not covered by neighbourhood policy. It is an unusually important and sensitive territory, not just on the borders of the EU but in fact surrounded by EU territory on all sides. The specific features of this region cannot be ignored when conducting neighbourhood policy in the EU’s immediate vicinity;

43. considers that, despite disappointment over the continuing difficulties in Belarus, it is necessary to support neighbourhood policy involvement in this country;

44. recognises the need for systematic support for the democratic, political, economic and social transformation processes in Ukraine;

45. recommends that, against the background of the Arab Spring, neighbourhood policy should play a significant role in developing contacts between societies. There should be a particular and intensive focus on this region in the short term. Involvement in this region should be regarded as a test of the responsibility of all EU members as states, regions and societies;

46. recalls that each of the countries in the Southern Mediterranean is different and that the EU’s approach has to be tailor-made and adapted to each situation. Nevertheless, democracy-building and democratic transition is universal and begins first and foremost at the grassroots level and cannot be imposed from above if it is to be stable and strongly rooted in society;

The importance of territorial cooperation as an instrument of neighbourhood policy

47. considers that euregions provide important experience for neighbourhood policy. They became a useful instrument in the accession process for the Central European countries, and after their EU accession a useful instrument for regulating relations with non-EU neighbours;

48. therefore offers its support for establishing lasting political and administrative decentralised structures, considering that the administrative and institutional capacities of local and regional authorities facilitates cooperation at sub-state level, improves efficiency and good governance and is fundamental to the process of democratisation;

49. recommends to explore the possibilities of strengthening existing euregions by using the instrument of the European Grouping for Territorial Cooperation because this would improve the legal certainty for the parties concerned and the transparency of the structures that are created. Reiterates its request that EGTCs with third countries should be made possible on a bilateral-basis and calls on the member states that have not done so to take the necessary steps to facilitate the creation and implementation of EGTCs;

50. underlines the practical usefulness of capacity building programmes within the context of the enlargements and the European Neighbourhood policies and – taking the Local Administration Facility pilot programme as a concrete example (1) – reiterates its suggestion that equivalent initiatives should be developed for the Southern Mediterranean countries in order to support their capacity building at local and regional level;

51. notes that the euroregion facilitates a broad spectrum of activities from the economic to the cultural spheres. It also facilitates spontaneous cooperation processes with the involvement of the third sector. The Euroregion has proved to be a flexible and unusually effective instrument for action at the borders of Central and Eastern Europe, the EU’s external border region;

(1) The CoR already cooperates closely with the European Commission in supporting this pilot programme that is currently restricted to candidate and potential candidate countries.
52. recommends support for projects and the establishment of new euroregions (building on the experience of long-established euroregions), particularly linking regions in Algeria, Tunisia, Libya and Egypt with appropriate areas in southern Europe;

53. considers that the specific features of the European Union's southern border, being a sea border, should not be considered as an obstacle to the creation of euroregions. The importance of initiatives for the establishment of euroregions like Andalusia-Gibraltar-Morocco, Notio Egeo-Turkey, Vorio Egeo-Turkey and Polis-Trakiakent should be stressed, although they are still in their early stages;

54. considers that there is a pressing need for a fully operational Black Sea euroregion;

55. considers that the euroregions can effectively support ENP (ENPI) instruments like TAIEX, SIGMA, Twinning and ENP Action Plans;

56. underscores the added value brought by European Groupings of Territorial Cooperation (EGTC) and the macro-regional strategy as innovative forms of territorial cooperation at interregional and supranational level, as they can bolster the cohesion and the coordination of policy measures in various domains in the wider Mediterranean and Black Sea region, rationalising the distribution of funds and highlighting the role of regional and local authorities, on the basis of the principles of multi-level governance and with the broader involvement of civil society organisations;

The citizens' dimension of neighbourhood policy supported by the action of the regions

57. recommends that contacts between national governments or even regional authorities should not become a substitute for broader and deeper contacts between societies. All the Mediterranean countries should be linked by euroregions, facilitating contacts between the third sector and citizens;

58. recommends the kind of action which is typical of euroregions as an effective instrument for counteracting many stereotypes and fears arising from migration along the EU's borders, and believes that direct experience of cooperation and exchange can also help to overcome the stereotypical images of Europe and the West prevalent in many countries bordering on the Union;

59. considers that an active neighbourhood policy can be a way of limiting uncontrolled migration;

60. believes that a neighbourhood policy which assists the most active individuals and groups in the regions and countries bordering on the European Union can promote political and economic transformation processes;

61. maintains that assistance to individuals and groups actively working for democratic change and economic reform can increase the effectiveness of all activities;

62. stresses the importance of organising, under the aegis of neighbourhood policy, various forms of youth and student exchanges as well as scientific cooperation;

63. underlines the importance of strengthening the administrative capacity in partner countries and therefore welcomes the reinforcement of national programmes such as the Estonian Centre of Eastern Partnership focused on administrative capacity and the Eastern Partnership Academy of Public Administration in Warsaw, and calls on them to support administrative reform and capacity building also at the local and regional level;

Interregional cooperation in neighbourhood policy

64. recommends that southern euroregions should (like the regions) have partners in other parts of the continent. Links of this kind should in particular be created between euroregions on the EU's southern border and euroregions in Central and Northern Europe bordering on Eastern Europe. The ENP should not fragment into isolated strands and the European Union's regional policy should seek to prevent this. The European Grouping of Territorial Cooperation seems the right instrument for creating links of this kind;

65. considers that a systematic analysis of EU visa policy is needed with a view to facilitating the issue of visas to citizens of ENP countries as a way of promoting dialogue between societies;

66. stresses the potential benefits of the introduction of local border traffic on some of the Union's borders.

Brussels, 14 December 2011.

The President
of the Committee of the Regions
Mercedes BRESSO
Opinion of the Committee of the Regions on ‘Less bureaucracy for citizens: Promoting free movement of public documents and recognition of the effects of civil status records’

(2012/C 54/05)

THE COMMITTEE OF THE REGIONS

— notes that civil status records such as birth, marriage and death certificates, divorce registrations, name changes and so on are fundamental to a person’s identity and ability to fully participate in social, economic and political life;

— underlines the fact that public documents fulfil an essential function in ensuring that EU rights can be exercised effectively by their beneficiaries;

— stresses the fact that civil status legislation is exclusively within the competence of Member States and their constituent local and regional authorities; emphasises that adherence to the principles of subsidiarity and proportionality are required;

— shares the Commission’s broad objective of identifying and removing obstacles to exercising EU rights particularly in cross-border situations and enabling citizens to experience further practical and visible benefits from ongoing EU integration and urges that addressing the needs of citizens be the primary focus of policy development in this area;

— concurs that the legalisation of public documents between Member States should not be necessary, however given that there is unreliable and incomplete information exchange, suggests that in advance of introducing legislation, facilities for administrative cooperation may need to be established so that registrars can seek to authenticate documents should they need to do so; in the interim and to facilitate dealings with non-EU countries, considers that Member States should examine with a view to adoption, the e-APP for the issuance and use of electronic apostilles;

— considers that the possibility for a European Civil Status Office should not be ignored if it could be shown to be more efficient and more effective than establishing a multitude of new offices or maintaining similar offices in Member States;

— would propose that the introduction of best practice guidance for Member States be considered to facilitate the provision of civil status documentation on a cross-border basis.
I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. welcomes the European Commission's initiative towards achieving a Union of citizens by launching the Green Paper for an EU-wide debate on the opportunities for legislative proposals on two distinct but related areas:

(a) the free movement of public documents by eliminating legalisation formalities between Member States, and

(b) recognition of the effects of certain civil status records so that legal status granted in one Member State can be recognised and have the same legal consequences in another;

2. notes that public documents include various administrative, notarial, judicial acts and documents and incorporates civil status records that define and represent milestones over a lifetime; further notes that civil status records such as birth, marriage and death certificates, divorce registrations, name changes and so on are fundamental to a person's identity and ability to fully participate in social, economic and political life;

3. underlines the fact that public documents fulfil an essential function in ensuring that EU rights can be exercised effectively by their beneficiaries. These rights include the free movement of citizens and their family members, free movement of workers, freedom of establishment, social security, free movement of goods and services and effective justice for citizens in civil and commercial matters; indeed a very wide variety of public documents are relevant in the recognition of EU rights;

4. shares the Commission's broad objective of identifying and removing obstacles to exercising EU rights particularly in cross-border situations and generally cutting red-tape to facilitate cross-border cooperation and enabling citizens to experience further practical and visible benefits from ongoing EU integration and urges that addressing the needs of citizens be the primary focus of policy development in this area;

5. emphasises that the fundamental diversity of civil status systems (event-based, person-based and population register) and varying procedures in effect across the EU reflects the constitutional and legislative arrangements of their public authorities and represents their differing societal values, the diversity is exemplified by the fact that civil status records possess different legal effects in different Member States;

6. believes that provision for civil status registration is generally efficient within Member States but that problems arise largely from dealing with cross-border issues; notes, however, that about one third of all civil status registrations in the EU have a cross-border aspect and with increasing mobility, administrative problems will correspondingly increase; a further complicating factor facing citizens with cross-border issues is the diversity of applicable law, where each country has its own rules on conflicts of law;

7. stresses the fact that while some public documents (e.g. professional qualifications) may be subject to EU law, civil status legislation is exclusively within the competence of Member States and their constituent local and regional authorities and emphasises that adherence to the principles of subsidiarity and proportionality are required in the evolution of EU policy and legislation in this area;

8. underlines that the competent authorities for document legalisation range widely between and within Member States with an even wider array of competent authorities responsible for civil status records; these range from judicial to religious to administrative responsibility at different levels of governance; nevertheless points out that it is most frequently at local and regional level that citizens come into contact with these authorities with an estimated 80 000 local registry offices across the EU;

9. believes that the issues must not be seen purely in isolation but also considered in the context of wider Union policies, such as economic policy, the Digital Agenda, social policy and external policy with a view to reinforcing the coherence, effectiveness and consistency of the Union's actions;

Free Movement of Public Documents

10. notes that legalisation is normally used to establish the presumption of authenticity of a foreign public document given that authorities in one country may be unfamiliar with the seals, stamps and signatures of the authority issuing the public document, acknowledges however that certain public documents such as passports, driving licences and judgements are recognised without further legalisation measures;
11. believes that legalisation costs time, money and effort and by itself, is not a suitable measure to prevent fraud in the cross border use of public documents; concurs with the terms of the Stockholm Programme that the EU should actively use its membership of the Hague Conference on Private International Law to promote relevant Conventions (also referring to the International Commission on Civil Status), as heretofore Member States have not taken a collaborative approach when dealing with Conventions on the legalisation of documents;

12. recognises that the application of existing Conventions dealing with document legalisation and the patchwork of bilateral treaties is fragmented, for example, the 1987 Brussels Convention abolishing the legalisation of public documents between Member States has been signed by less than half of EU Member States with even fewer ratifying and provisionally implementing it;

13. concurs with the view that the legalisation of public documents between Member States should not be necessary in a EU built on mutual trust and similarly considers that other administrative formalities that act as barriers to European Union citizenship and the right of free movement, such as the "certificate of no impediment" and "certificate of law" may equally become unnecessary between Member States;

14. however given that there is unreliable and incomplete information exchange between the civil registry offices of Member States (indeed some Member States neither transmit nor receive information about "foreign" civil status events), suggests that in advance of introducing legislation, facilities for administrative cooperation between registrars in Member States may need to be established so that registrars can seek to authenticate documents should they need to do so, similarly channels for cooperation may need to be established to facilitate authentication of other official documents e.g. educational qualifications and notarial acts; incidentally such facilities for cooperation may also assist officials in verifying the accuracy of document contents as well as the authenticity of the document;

15. moreover, believes that the reasons underlying the reluctance to ratify existing relevant Conventions (such as the 1987 Brussels Convention) must be examined as should the experiences of those Member States that provisionally implement that Convention;

16. in the interim and to facilitate dealings with non-EU countries, considers that Member States should examine with a view to adoption, the e-APP (1) for the issuance and use of electronic apostilles together with the e-Register with online accessibility, recently launched in Europe by Spain under the e-APP for Europe project supported by the European Commission;

Cross Border Issues and the Recognition of the Effects of Civil Status Records

17. highlights that a significant problem for many citizens is the cross-border transmission of civil status documentation. In some Member States, personal attendance can be required for an individual to access their own civil status records or obtain apostilles, such undue bureaucracy can cause significant costs to persons who may now reside outside the particular Member State; and while respecting subsidiarity principles, would propose that the introduction of best practice guidance for Member States be considered to facilitate the provision of civil status documentation on a cross-border basis, with adequate safeguards to reduce the risk of fraud;

18. emphasises that each Member State has developed its own acquis on citizenship and civil status based on its history, culture, political and legal system and that the introduction of major change could have significant constitutional, legislative and economic implications for authorities within Member States and require wholesale legal and administrative changes to structures and processes; similarly it could introduce significant social and cultural change for citizens and society;

19. recognises nevertheless that EU citizens, particularly those living and working in "another" Member State will expect that their lives should not become unnecessarily complicated by red tape in dealing with cross-border civil status issues;

20. recognises that the logistics and costs of providing ongoing training to the estimated 125 000 registrars in the EU on the civil status systems and processes of other Member States is unrealistic; hence underlines the need to develop other more feasible solutions to address the actual problems that citizens face;

21. accepts that the current incomplete and ad hoc contacts between registrars of Member States may arise from legal, procedural, logistical and above all language difficulties; thus would suggest that the European Commission should move to establish an expert group of registry specialists from each Member State so that proposals to address cross-border issues can benefit from a wide input and to facilitate the EU working in a more collaborative way in international fora;

22. considers that the costly and time-consuming need for translations and certified translations of public documents should be reduced with greater use of standardised forms and the application of electronic encoding and reading systems; believes that such developments could be progressed within wider international fora;

(1) Under the electronic Apostille Pilot Program (e-APP), the Hague Conference on Private International Law (HCCH) and the National Notary Association of the United States (NNA) are, together with any interested State (or any of its internal jurisdictions), developing, promoting and assisting in the implementation of low-cost, operational and secure software technology for the issuance of and use of electronic Apostilles (e-Apostilles) and the creation and operation of electronic Registers of Apostilles (e-Registers).
23. accepts that there is widespread appetite for bureaucratic simplification, not simply transferring paper-based processes online, and this, coupled with the possibilities offered by electronic data storage and transmission, provides an opportunity and an impetus for modernising and centralising information systems;

24. considers that the registration of all of a person’s civil status events at a central location is a worthwhile objective for those Member States that do not do so, in addition it should facilitate the recording of "extra-national" civil status events but realises that it may have significant cost implications and subsidiarity concerns for the responsible authorities and may not be politically feasible in all cases;

25. recognises however that centralised registration does exist in many Member States and a single contact point could help minimise practical problems faced by registrars and citizens, but depending on issues such as electronic availability of records, size of country, division of legislative responsibilities, language issues and so on within Member States, considers that such central information points could be established at regional levels;

26. believes that there is a need to demonstrate that pilot schemes developed for the electronic exchange of civil status documents can work effectively and efficiently and can be adapted for wider use and would welcome a review of the existing electronic tools that facilitate cooperation between EU public authorities; considers it a priority that safeguards would be introduced to prevent fraud and to protect citizens’ privacy and personal data;

27. considers that linkages could be strengthened between EU information sources and relevant information providers within the Member States with regard to the provision of information to citizens about their EU rights generally and believes that local and regional authorities are well placed to assist in this regard;

28. recognises that the idea of a harmonised European Civil Status Certificate is very ambitious as Member States have very different concepts of the nature, form and content of civil status certificates; for example, aside from differences of their probative value and how they may be amended, birth certificates across the EU may contain information on the legitimacy and religion of the child and on the marital and socio-economic status of the parents;

29. as mooted, it appears that European Civil Status Certificates would initially require the simultaneous operation of national and EU schemes, this could lead to problems of legal interpretation of the consistency and relativity of different systems given that there are already many combinations and permutations of civil, religious and foreign laws that may need to be adjudicated upon by courts in Member States;

30. given the diverse legal and administrative structures and processes regarding civil registration across the EU, a proposal to automatically recognise civil status certificates issued by other Member States is similarly problematic and could not work without accompanying significant change to domestic legislation within the Member States to eliminate inconsistencies in how citizens would be treated;

31. considers that given the differences between Member States on the issues, believes that the European Commission could proceed, even on the basis of enhanced cooperation, to seek to standardise conflict of law and jurisdictional issues for further civil status matters to enable more clarity for citizens;

32. believes however that permitting citizens to choose the applicable law of one Member State over another in relation to civil status events could be fraught with difficulty, for example, a couple may disagree over jurisdiction and it could lead to "civil status shopping" where individuals seek out practices that best suit their own circumstances;

33. considers that the possibility for a European Civil Status Office should not be ignored if it could be shown to be more efficient and more effective than establishing a multitude of new offices or maintaining similar offices in Member States; further believes that it could: (a) assist in developing a more collegiate EU approach to international conventions; (b) improve administrative cooperation by gathering and exchanging best practices and experiences e.g. for compatibility in IT-related areas as well provide guidance to national authorities on international issues; (c) act as a central contact point for civil status queries with a cross-border dimension that can benefit registrars and of course, help address persistent problems that citizens experience in their legitimate expectations of exercising their rights within the EU; and (d) potentially act as a centralised EU back-up or reference register for civil status documentation;

34. urges the more timely transposition and application of existing legislation that affects the enjoyment of EU citizenship rights and encourages further collaboration by Member States through their participation in existing inter-governmental organisations to facilitate international cooperation in civil status matters and the wider ratification of existing conventions;

35. encourages registration authorities within Member States to provide samples (with translations) of their civil status documents online so that "foreign" registrars may establish at least some familiarity with them, the European Commission could possibly assist in coordinating or facilitating this initiative;

36. would promote the establishment of a network of registrars/consular experts from all Member States by the European Commission to examine if sufficient administrative cooperation can be instituted to work towards the elimination of legalisation formalities and would support work towards the elaboration of proposals relating to the harmonisation of conflict of law issues. However believes that issues of mutual recognition and European Civil Status Certificates may need further in-depth consideration;
37. considers that while the Green Paper necessarily addresses issues from an EU 27 and a longer-term perspective, the CoR emphasises that more localised solutions can also be brought to bear in addressing problems that citizens face on a regular basis, particularly those living in border areas who may live and work in different jurisdictions. In this regard would encourage further bilateral and multilateral agreements between Member States and with other countries as well as sub-national level initiatives analogous to the EGTC projects for territorial cooperation;

38. underlines that impact assessments of any proposed legislation must be conducted particularly with reference to social, economic and legislative implications within Member States;

39. given the relevant responsibilities of local and regional authorities, the CoR wishes to fully participate in the debate as it evolves and would like to make its consultative networks (2) available to the European Commission in this regard.

Brussels, 14 December 2011.

The President
of the Committee of the Regions
Mercedes BRESSO

(2) The European Grouping of Territorial Cooperation (EGTC), the Europe 2020 Monitoring Platform and the Subsidiarity Monitoring Network (which carried out a consultation on the Green Paper from 13 July to 2 September 2011).
Opinion of the Committee of the Regions on ‘Towards a space strategy for the European Union that benefits its citizens’

(2012/C 54/06)

THE COMMITTEE OF THE REGIONS

— points out that local and regional authorities make a significant contribution to the development of the space technologies sector by creating clusters and competitiveness zones that bring together manufacturers (including SMEs), higher education institutions and scientific research. They thus play a key role in the processes of innovation and technology transfer;

— highlights the fact that local and regional authorities also have a key role as users;

— expects that, now that the EU’s competence has been expanded, local and regional authorities will be sustainably and comprehensively involved in drafting and implementing European space policy;

— urges the Commission to propose how long-term funding for the operation of GMES infrastructure can be guaranteed within the EU budget in future, and rejects the Commission’s proposal that it be financed outside the EU budget: GMES, like Galileo, is a European project and therefore belongs in the EU budget in order to guarantee both financial sustainability and transparency and democratic oversight of the funding;

— emphatically recommends that the establishment of regional GMES development and application centres should be promoted and that European networks such as NEREUS should be supported and helped to develop.
I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. welcomes the fact that, in its communication "Towards a space strategy for the European Union that benefits its citizens", the Commission has taken a first key step in developing a future European space policy on the new basis provided by the Lisbon treaty (Article 189 TFEU);

2. is convinced that a common European space policy will strengthen Europe's economic and political independence and capacity for action, boost the general innovativeness and competitiveness of its industry and society, and make a wide-ranging and varied contribution to environmental protection, combating climate change, public security and civil protection, humanitarian aid and communication, and the dissemination of information to the public;

3. notes that the goals of European space policy come up against the huge differences in social, economic, environmental and territorial circumstances at regional level, and that it is only local and regional authorities that will be able to implement large parts of European space policy in practice;

4. points out that a wide variety of innovative developers and end users of space technologies are already operating in the regions. Local and regional authorities make a significant contribution by creating clusters and competitiveness zones that bring together manufacturers (including SMEs), higher education institutions and scientific research. They thus play a key role in the processes of innovation and technology transfer. Local and regional authorities take care of the installation, development and maintenance of space infrastructure such as launch pads, satellite integration, equipment and software, and ground segment infrastructure in general;

5. highlights the fact that local and regional authorities also have a key role as users. For example, they may act as town and country planning bodies and as bodies responsible for the environment and civil protection, or undertake other tasks that involve collecting and processing satellite-based data. Moreover, it is the regions and their citizens that are actually the market for the application and use of space technologies. Local and regional authorities use a wide variety of space technologies and services to administer their territories, provide public services and support regional developments;

6. has therefore consistently taken a close interest in space policy issues and made repeated reference in its opinions to the practical significance of European space programmes;

7. expects that, now that the EU's competence has been expanded, local and regional authorities will be sustainably and comprehensively involved in drafting and implementing European space policy;

8. therefore finds it particularly regrettable that the Commission's communication completely ignores the role of local and regional authorities in developing European space policy, despite the fact that its development is highly dependent on their contributions;

9. notes that the subsidiarity principle is observed in the Commission's communication, but that the significance and role of local and regional authorities in the further development of space policy needs to be better taken into account;

II. PRIORITY ACTIONS FOR A EUROPEAN UNION SPACE POLICY

10. supports the development and implementation of a comprehensive and ambitious European space programme that builds on past achievements and promotes and develops the priority areas of environmental monitoring, climate change, security, competitiveness and space exploration;

11. is convinced that this programme will produce significant economic and social benefits for the regions. As well as giving Europe a high profile on issues surrounding the environment, climate change, security and basic and applied research, it is expected to improve European competitiveness in the latest technologies, in promoting innovative businesses and in creating highly skilled jobs;

12. recommends that operational commissioning of the flagship programmes Galileo and GMES should be brought forward, in order to realise their economic, social and environmental potential as soon as possible;

13. suggests that space exploration programmes and programmes to ensure that Europe has autonomous access to space should be incorporated as additional priorities in a European space programme;
European satellite navigation programmes (EGNOS and Galileo)

14. supports every effort to finish, if possible by 2014, building up the reliable capacity of the Galileo programme, in order to realise the economic, social and environmental benefits that this project can provide, particularly for local and regional authorities;

15. is concerned that, to date, no proposals have been made to amend the current multiannual financial framework to provide additional support for the EGNOS and Galileo programmes, even though this will be necessary in order to avoid further delays and additional costs;

16. believes that the EU needs to guarantee funding for the operational phase of Galileo (including maintenance and replacement of satellites, safeguarding the integrity of the system, ground operations and access to data) post-2014 as the only way of ensuring that the expected economic effects are sustainable;

17. urges the Commission to provide greater support and assistance for the development and preparation of functional location-based services and associated products, in particular demonstration projects;

18. stresses that the long-term governance and management structure of the global navigation satellite system should be democratic, completely transparent, financially sound and socially responsible. Ensuring that this is the case is the responsibility of the European Commission, in close cooperation with the key stakeholders, including those at local and regional level;

European Earth observation programme (GMES)

19. sees the GMES programme as an indispensable EU tool in providing the data that is vitally needed, in particular, for environmental monitoring and civil security, which makes it significantly important for local and regional authorities;

20. welcomes the measures to strengthen a GMES climate change service and highlights the importance of this service to the European regions in combating climate change and mitigating its impact (e.g. in terms of global food security);

21. calls for the necessary infrastructure to be developed promptly by 2014, for work to be stepped up on developing and preparing functional services – including services using Galileo and new telecommunications systems such as the planned European Data Relay Satellite (EDRS) – and for the sustainability of the planned services to be guaranteed. This should include the work of existing national services and of the European satellite meteorology service EUMETSAT;

22. urges the Commission to propose how long-term funding for the operation of GMES infrastructure can be guaranteed within the EU budget in future, and rejects the Commission’s proposal that it be financed outside the EU budget: GMES, like Galileo, is a European project and therefore belongs in the EU budget in order to guarantee both financial sustainability and transparency and democratic oversight of the funding;

23. in this connection, once again highlights the key importance of Europe’s regions in developing environmental and public security services, in spreading applications of space technology at local level and in exchanging experience and best practice;

24. therefore emphatically recommends that the establishment of regional GMES development and application centres should be promoted and that European networks such as NEREUS should be supported and helped to develop;

25. is critical of the fact that the services already provided by the GMES and Galileo programmes cannot always be easily adapted to the needs of local and regional authorities;

26. recalls that the Regulation on the European Earth observation programme (GMES) and its initial operations (2011-2013) – provides for free access, free of charge, to satellite data and calls for this to continue to be provided in the operational phase from 2014. Issues in that regard concerning data protection and the protection of applications must be resolved;

Security and Defence

27. stresses that GMES is a civilian project and focuses on civilian applications;

28. notes that the aspects of security and possible links with defence are highly politically significant. The Commission’s communication, however, is still too vague on this central point, and the CoR therefore sees an urgent need for more precise statements;

29. advocates taking account of the security component in the GMES programme, but feels that this field needs to have a clearer civilian definition and to be distinguished from military applications;

30. thinks it necessary to clarify carefully whether, and to what extent, national civilian (and also military) observation capacities can be used to reinforce the security component of the GMES programme in order to improve results and avoid unnecessary duplication of structures;

31. thinks it necessary to clarify fundamentally the legal basis and political framework for using data and services from GMES infrastructure to support European defence policy;
Space exploration

32. endorses the 2008 Space Council's resolution that Europe needs "to develop a common vision and long-term strategic planning for exploration, ensuring key positions for Europe, therefore, based on its domains of excellence". Europe has become a reliable partner in the global space sector on the back of scientific space research. Space exploration programmes produce new knowledge, stimulate innovation and technology, make a significant contribution to the competitiveness of the European space industry and awaken young people's pioneering spirit;

33. therefore calls for a strategy of this kind, and associated action, to be drawn up and implemented without delay, with the aim of highlighting space exploration as a peaceful global challenge for humanity and embedding it in a global context as a distinct component of European space policy;

34. urges the EU and the ESA, in conjunction with the Member States and local and regional authorities, to adopt a joint roadmap setting out the principles for future European space exploration (e.g. the Moon, Mars);

35. considers maintaining and financing the operation of the international space station (ISS) until 2020 to be an integral part of a European space strategy. Alongside preparatory systems such as specialist clinics, sounding rockets, drop tubes and parabolic flights, use of the ISS for both basic and applied research (including new materials, biology and medicine) should be a key element of a European space strategy;

36. therefore calls for a clear definition of the EU's role in determining research requirements, taking into account research activities in the Member States, so that local and regional authorities also have an opportunity to formulate their needs, expectations and contributions;

Access to space

37. considers it very important to ensure that Europe retains autonomous access to space, as this boosts, or even creates, major commercial opportunities for the European economy;

38. calls in this connection for funding for the European spaceport in Kourou to be secured over the long term and for a long-term European launcher strategy (Ariane family) to be included in Europe's space programme;

III. COMPETITIVENESS AND EUROPE 2020 STRATEGY

39. agrees that European initiatives to support space technologies may be, and should be, a key factor in achieving the EU's research and innovation policy goals. For example, the GMES programme and the applications it generates will primarily serve environmental and security policy, but will also make a significant contribution to the growth, innovativeness and competitiveness of Europe as a whole. Other areas, such as education, culture, communication and the energy sector, will also benefit from space-related innovations. Space technologies and their applications have become an increasingly important element of people's everyday lives;

40. therefore stresses that the sustainability of European space policy is a key element in the overarching Europe 2020 strategy, as it is linked with the latest technology, innovative businesses and highly skilled jobs. The development of basic infrastructure in the European regions is particularly important in this context, as it creates sustainable growth and employment;

41. supports the Commission's intention to draw up a space industry policy that fully reflects the specific needs of each sector, dealing with aspects of European independence, support for SMEs and the coordination of European, national and regional programmes;

Boosting research and innovation

42. welcomes the fact that the Commission's proposed common strategic framework for research and innovation funding highlights the space sector as a key technology. This particularly relates to the development of advanced materials, nanotechnology and automation (robots and intelligent systems) as key areas in maintaining European competitiveness;

43. expects effective financial support instruments to be provided, for example to promote the launch of innovative applications and their dissemination in the regions;

Satellite-based telecommunications

44. sees satellite-based telecommunications as a key factor for the European space industry;

45. highlights the significance of the downstream economic effects of satellite telecommunications, particularly for Europe's regions: they make a vital contribution to territorial cohesion in giving individuals, administrations and businesses access to the digital world;

46. therefore expects European space policy to include the further development of satellite telecommunications. As well as ensuring that appropriate frequencies are made available, this involves guaranteeing long-term support for new innovative communications-based services – including in combination with Galileo and GMES – and possibly launching new systems (e.g. a satellite-based Automatic Identification System (AIS) for monitoring shipping traffic worldwide);
IV. INTERNATIONAL DIMENSION OF EU SPACE POLICY

47. endorses the Commission’s view that international cooperation must be a vital and indispensable element of the EU’s space policy;

48. takes the view that the European space programme enables international cooperation on an equal footing and improves the position of European products, systems and services in international competition;

49. recommends providing expertise and infrastructure to Africa, in particular, in order to help improve living conditions there (relating to land use, food resources, water management, etc.);

V. TOWARDS A WELL-STRUCTURED GOVERNANCE

50. expects the EU’s new space policy competences under the Lisbon treaty to lead, among other things, to changes in governance. The EU now has the task of developing a strategic EU-wide space policy and of driving forward its implementation, which makes it particularly important to strengthen cooperation between the European Union and the Member States;

51. stresses that it will be crucial to the success of EU space policy for the Union to provide political and economic support, within a framework of fair, efficient administrative regulations and an efficient decision-making structure based on recognition of competences at all levels;

52. stresses the importance of both the European Space Agency (ESA) and the national space agencies, which have so far been successful in pursuing the implementation of national and European space strategies and whose rules have made it possible to build a strong and competitive industry and research sector. The structures and capacities of the ESA must be given the attention they deserve, particularly in future efforts to define the governance of space policy and the rules surrounding it;

53. suggests that, in future European "space governance", the EU could take responsibility for drafting European space policy and strategic visions and for designing the necessary measures. The ESA, as the "executive" authority, could be charged with implementing them at European level;

54. would once again stress that local and regional authorities play a key role in the development and implementation of European space policy and in communicating it to the public. It is consequently important for them to be involved in shaping future EU space policy;

55. therefore advocates that local and regional authorities should be given appropriate opportunities to participate in the future governance structures of the EU space programmes and that their representatives should be able to participate in programme bodies alongside the EU institutions and Member States. Local and regional authorities must be put in a position both to exploit the development of space technologies and to contribute to that development;

Financing

56. points out that the regions have already made significant investments in building up Europe’s space sector and will continue to do so in future. At the same time, it is vital for the EU to provide reliable funding for space programmes, as this is the only way of ensuring that these activities are competitive and have a transnational dimension;

57. sees a particular need for more substantial, more targeted and more sustainable funding for space exploration, and calls for more effective coordination in order to secure synergies between space exploration and other innovative strands of research and development;

58. believes that EU space policy should also be coordinated with other policies and related funding mechanisms (research, innovation, cohesion, regional cooperation, etc.), in order to make it easier for the regions, in particular, to participate in development and utilisation;

59. urges the Commission to present a proposal, in connection with medium-term financial planning from 2014, on how the contributions of the EU, the ESA and the individual Member States (national programmes and regional investments) can be regarded as a whole, in order to maximise synergies and avoid duplication of effort;

VI. CONCLUSIONS

60. urges the Commission to submit, as soon as possible and on the basis of an EU space strategy, a comprehensive proposal for a European space programme that covers both the user-oriented application potential and the research and innovation potential of space travel and is fully incorporated in medium-term financial planning from 2014, particularly with regard to the Galileo and GMES programmes;

61. highlights the central role played by local and regional authorities in the development, implementation and utilisation of space technologies;

62. therefore calls for the European Commission to consult the institutions involved, and the key interest groups, in good time when drafting the EU space strategy and the implementation plan required, and points out that the involvement of local and regional authorities in drafting and implementing the EU’s space strategy should be commensurate with their importance and competence;
63. believes that the Commission should support local and regional authorities in publicising the results and possibilities of the European space programme to businesses, administrations and the general public in the regions.


The President
of the Committee of the Regions
Mercedes BRESSO
Opinion of the Committee of the Regions on the ‘Contribution of the EU’s local and regional authorities to the UN Conference on sustainable development 2012 (RIO+20)’

(2012/C 54/07)

THE COMMITTEE OF THE REGIONS

— calls for explicit recognition by Rio+20 of urbanisation as one key emerging challenge the world needs to address, and for greater support for the exchange of experience and transfer of knowledge on sustainable urban development between subnational governments and local authorities on a global scale;

— calls upon Rio+20 to adopt a green economy roadmap, which however should include a specific section on green local economy that recognises the key role played by subnational governments and local authorities, and in particular promotes an international Covenant of Mayors and Regions and supports decentralised cooperation for development; a possible capacity development scheme should oblige beneficiary countries to closely involve their sub-national levels of governance in the process;

— requests that subnational governments and local authorities need to have a place in the institutional framework for sustainable development as relevant governmental actors with full recognition alongside national governments and UN entities. Rio+20 should adapt the existing structures of the so-called "Major Groups", for instance by creating a new and inclusive category of "governmental stakeholders", and mandate a future World Environment Organisation (or UNEP), or a future Sustainable Development Council to create a standing committee for subnational and local governments;

— requests Rio+20 to define the future governance frameworks necessary to further develop Local Agenda 21 and to support the promotion of environmental democracy globally, for example by supporting the introduction of other regional conventions like the UNECE Aarhus Convention, or initiating negotiations on a global Convention on Principle 10 of the Rio Declaration.
I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

A. General remarks

1. welcomes the decision of the UN General Assembly to convene a United Nations Conference on Sustainable Development at the highest possible level in June 2012 in Rio de Janeiro (UNCSD or "Rio+20" Summit), with the objective of securing renewed political commitment for sustainable development, assessing the progress to date and the remaining gaps in the implementation of the outcomes of the major previous summits on sustainable development, and addressing new and emerging challenges. It will do so in the context of two specific themes: a green economy in the context of sustainable development and poverty eradication and the institutional framework for sustainable development;

2. calls on all those involved in the Rio+20 conference and its follow-up to ensure the success of the conference and achieve real progress for sustainable development;

3. has emphasised on different occasions the importance of measures and changes to support and develop the work on sustainable development. The CoR is of the opinion that all players – global, within the European Union as well as national, subnational and local governments – have a shared responsibility in creating a sustainable society that is responsive to the natural resources available. The CoR’s members, cities and subnational governments, have an important role to play in this and are to a large extent the driving forces in the work devoted to bringing about sustainable development, not least due to their proximity to EU citizens;

4. therefore calls for explicit reference to and empowerment of subnational governments and local authorities (1) in all Rio+20 deliberations. Subnational governments and local authorities need to be actively involved in both in the preparation of, during the Summit and in its follow-up and implementation. Member States are encouraged to establish forums with subnational governments and local authorities for preparing for Rio+20;

5. calls upon the European Council and the European Commission to work out a clear and unified EU position for the UN conference and ensure that the political agreements reached in Rio de Janeiro will also lead to concrete action; declares, in this connection that public involvement, competence and power on a subnational and local level is a basic precondition for a sustainable society. In order to support this, the principles of subsidiarity and proportionality must be respected and developed between all layers of governance, from the global via the European Union's planning and decision-making process to the national and sub-national levels. Subnational governments and local authorities must be recognised as fully equal partners and the most appropriate level of government in the efforts for a sustainable development, both when preparing for the UN conference and when implement its results;

6. calls for explicit recognition by the Rio+20 Summit of urbanisation as one key emerging challenge the world needs to address. Urbanisation is of particular relevance to subnational governments and local authorities, as they are at the forefront of dealing with the challenges and opportunities it poses. Since the beginning of this century the majority of the world’s 7 billion people live in cities. World population may rise from the current 7 to 9 billion people by 2050 and some scenarios predict that 60 per cent of this population will live in cities by 2030. This trend is especially apparent in developing countries or countries in rapid transition. Sustainable urban development requires a holistic and integrated approach to managing economic, environmental and socio-cultural dimensions of development within a spatial and physical framework. The CoR recommends stronger efforts to develop and support sustainable urban development;

7. emphasises that ‘sustainable development’ is based on social, environmental and economic factors being in harmony and that combating poverty and social exclusion must be just as much a key concern of the Rio+20 conference as conserving resources, combating climate change and other goals of environmental policy;

8. would like to see greater efforts to produce, evaluate, present and disseminate good examples of sustainable urban development. There is a substantial demand for the exchange of experience and a transfer of knowledge, concerning both institutional factors and a holistic and integrated system approach in the planning and decision-making processes. Good urban governance, spatial planning, systems for land management, legislation and policies, financing, public and private cooperation, public participation, education, training and information are all areas in which there is a significant need for the exchange of experience and transfer of knowledge between subnational governments and local authorities on a global scale;

(1) The Opinion uses the term "subnational governments and local authorities", as it is used in the UN context (where regions are rather understood as world regions). Within the context of the EU, this means "local and regional authorities".

Rapporteur Ilmar REEPALU (SE/PES) Member of Malmö Municipal Council

Reference document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Rio+20: Towards the green economy and better governance

COM(2011) 363 final
9. wishes to emphasise how important it is to focus on and develop the various forms of partnerships and the interaction between cities and their surroundings. A growing population in cities results in heavy demands on production and supply of goods, for example foodstuffs, as well as the accompanying management of waste products and refuse. A concrete example of the need for greater cooperation between cities and their surroundings is the management of biological waste, where functioning systems are needed for the return of plant nutrients to agricultural land in order for the biological ecocycle to work within a closed loop;

10. believes that education, training and dissemination of information are of crucial importance to increase public awareness. The development of learning programmes is especially important for the transition that is needed, including not only technical knowledge on specific aspects, but also on a holistic and integrated system approach;

11. wishes to point out that many of the challenges and concrete measures facing the international community in its work on creating sustainable development cannot solely be solved by new technology and increased financial investment. Measures are also needed to build knowledge in order to adapt and change people’s behaviour, consumption patterns, etc.;

12. stresses that both traditional and social media are particularly important in this regard. Measures should be taken to support the development of these media as tools for exchanging information, mobilising people, linking up initiatives and creating critical public groups, thus promoting a sustainable society;

13. underlines that one of the tools used in the efforts to achieve a sustainable society is the town twinning. Many twinning projects are already in place or are being established on a bilateral or multilateral thematic basis at the subnational and local and levels. A number of players are involved in this processes on both a national, subnational and local scale, within the European Union and internationally. Twinning is an especially effective tool when it has a focused thematic content, aims to be sustainable and involves not only national governments and local authorities, but also, and more important for its successful outcome, civil society organisations;

14. stresses that international, regional or national associations of sub-national levels of governance also have an important role to play in facilitating exchanges and giving subnational governments and local authorities a voice on the global scene. The CoR itself acts as an important institutional player in the EU context in this respect and believes that further efforts are required, to coordinate existing structures and networks and to improve the evaluation of innovative projects and dissemination of best practices;

B. Enabling the transition to a green economy

15. wishes to point out that sustainable development with the three dimensions economy, ecology and social constitutes the basis for growth, more job opportunities, a green economy, greater prosperity and a cleaner and healthier environment;

16. notes that the current economic system is outstripping the planet’s capacities when it comes to the sustainable use of resources and that, increasingly, the European Union is becoming an importer of fossil fuels and raw materials. So me of these are of strategic importance for the present and future of the EU but may run short in future decades. This makes an economic shift towards a mode of development that is more sustainable and more responsive to these resources imperative;

17. expressly stresses that the transition to a more sustainable pattern of development does not only represent a problem but, on the contrary, offers a whole series of opportunities particularly when environmental improvement and the generation of economic and social value added are considered in terms of potential synergy. The opportunities must be made use of through appropriate measures in the fields of economic policy, education and social change;

18. concludes that under the current financial conditions in the European Union and internationally, efforts should be made to achieve a sustainable economy and create sustainable employment conditions;

19. reiterates the importance of green jobs and of making an effort to promote such jobs, which are defined as decent work in all economic sectors that involve sustainability (both the emerging and traditional sectors), due to the opportunity they offer for progress on social cohesion. Training and capacity-building in the field of sustainability at all levels should therefore be viewed as essential aspects of ensuring the full development of these key sectors;

20. recommends that the Rio+20 Summit delivers a new alternative model to measure growth and welfare beyond GDP. This is necessary in order to re-orient the debates on policies and achieve fundamental change in the way 'progress' is understood. Indicators are needed that take into account climate change, biodiversity, resource efficiency and social inclusion;

21. is convinced that the EU in particular can play an important role at the UN conference if it can go there itself with a good example; its bargaining position would be strengthened if it set itself ambitious goals on the road towards a 'green economy', for example in the areas covered by the Europe 2020 Strategy Flagship Initiative 'A resource-efficient Europe'.

22. supports the proposal of the European Commission that the Rio+20 Summit should adopt a green economy roadmap that sets targets and appropriate indicators, formulates both direct international action and a clear framework for global, regional (including at EU level), national and subnational initiatives, and includes a timeline for their implementation;
23. supports in this context the request of the EU for Rio+20 to establish a **capacity development scheme** to provide targeted, country specific advice to all interested countries on the transition to a green economy and on how to access the available funding. The CoR underlines that such a scheme should oblige countries to closely involve their subnational levels of governance in the process;

24. believes that the roadmap should include a specific **section on Green Local Economy**, which recognises the key role played by subnational governments and local authorities in the transition to a green economy. This section should in particular address the major challenges of urbanisation and green urban economy, promote an international Covenant of Mayors and Regions, and support decentralised cooperation for development by subnational governments and local authorities;

25. requests that the many successful cases of subnational governments and local governments promoting a green economy should be included in the Rio+20 **green economy toolbox** that is proposed by the European Commission;

26. recalls the **important role and many activities of the subnational and local tiers in the area of development aid** and decentralised cooperation in close cooperation between the CoR, its members and the EU Commission, such as the CoR’s "Atlas", the web portal and the so-called "Assises of decentralised cooperation";

27. would like to see measures on a global level to support the development of an **environment-driven business sector**, which could be brought about by:

   — supporting the development of green technology and green solutions, among other ways through increased investments in R&D, including investment that, by applying the ecosystem service approach, aims to contribute towards protecting biodiversity and (re)developing ecosystems while simultaneously generating new economic opportunities,

   — implementing measures to facilitate the export and import of green products and services on a global level and promoting smart work,

   — imposing environmental, climate and ethical demands in connection with public procurement and other types of procurement,

   — encouraging the development of industrial ecology and the circular economy (from cradle to cradle), which aims to close production and consumption cycles, thus placing the materials necessary for these processes within a closed loop, in order to minimise the extraction of natural non-renewable resources,

   — developing and implementing methods for functional procurement,

   — coordinating and developing models for environmental certification of goods and services produced by companies by means of comparative life-cycle analyses for goods and services, etc.,

   — coordinating and developing models for environmental management systems for companies and organisations, by means of environmental accounting for instance, and

   — producing new models for the financing of green solutions and green companies;

28. acknowledges the need to make progress on developing **new mechanisms and tools for cooperation between the public and private sectors** (social and economic stakeholders) on designing and implementing policies for the green economy. The emphasis should be on boosting and consolidating multi-stakeholder partnerships;

29. reiterates that one of the key challenges today is to radically **reduce our climate impact**, both at global and local level, while at the same time securing energy supplies and ensuring prosperity. Municipalities and subnational governments have major roles in this process. Within the European Union, they are assuming responsibility for a broad range of initiatives aimed at reducing climate impact, securing energy supplies and adapting to climate changes. The Cancun agreements, adopted in December 2010, recognise local governments as governmental stakeholders and open access to international financing mechanisms for cities. Subnational and local governments need to be actively involved in national climate action plans and expect access to financial support;

30. emphasises that measures must be taken to protect, secure and redevelop key resources, materials and natural capital. In particular, the CoR would like the Rio+20 Summit to place a **special focus on water**. Access to water is a rapidly growing problem and a major challenge, especially for big cities. The CoR therefore supports the establishment of an international partnership on water to tackle this problem and refers in this connection to its recommendations on the role of subnational governments and local authorities in promoting sustainable water management (Opinion CdR 5/2011 fin);

31. emphasises the need to improve the **governance and the protection of the marine environment and oceans** and consider that it becomes one of the key pillars of the Rio Framework, aside climate and biodiversity;

32. highlights the European Commission's comment that "the **sustainable use of land and agriculture** will be a cornerstone of the green economy", and therefore takes the view that sustainable urban development and spatial planning mean minimising the extent to which productive agricultural land is built on in such a way that it cannot be used for farming in the future;
33. believes that to enable the transition to a global green economy, large-scale financial resources have to be mobilised. Taxation and pricing should better reflect environmental costs and benefits. The CoR reiterates its calls for mainstreaming the polluter pays principle and extended producer responsibility, as well as cost-recovery options for the management of natural resources. The green economy roadmap should launch new public and private financing initiatives and partnerships;

34. proposes that the roadmap should also provide for a series of specific and tightly scheduled steps for eliminating all environmentally harmful subsidies by 2020. This would free up extra funds for other activities. In addition, reduction targets and efficiency standards like those which have been developed in the EU for a range of products and processes should be applied at international level;

C. The institutional framework – towards better governance

35. recommends a transformation of the United Nations Environmental Program (UNEP) into a World Environment Organisation (WEO). Transforming UNEP into a UN Specialised Agency would create a global multilateral environmental organisation, as the most promising way forward to improve international environmental governance. It should have a revised and strengthened mandate and operate on an equal footing with other UN specialised agencies. Moreover, it should include an implementation arm, decentralised at regional or national level, and aimed at providing countries, subnational governments and local authorities with more direct support on effective implementation of Multilateral Environmental Agreements, such as on climate change or biodiversity;

36. also recommends the creation of a Sustainable Development Council (SDC) instead of the existing Commission for Sustainable Development (CSD). The aim of this proposal is to achieve better governance, a common view and coordination in the work on sustainable development on all levels;

37. supports the development of Sustainable Development Goals (SDG), in particular those with a long-term perspective, following the example of the Millennium Development Goals. A broad political commitment based on common goals should be then broken down into a set of specific and concrete targets and ways of measuring them;

38. insists that the Rio+20 Summit recognises that governance needs to include all government levels, from the local and the subnational, via the national and regional, to the global. Rio+20 should subscribe to a consequent multilevel governance approach, based on interaction, synergy and complementarities between all governance levels;

39. draws attention to the fact that within the Rio Conventions, subnational governments and local authorities have recently been given increased recognition of their special status as governmental institutions, including for example their recognition as "governmental stakeholders" in the Cancun Agreement, and Decision X/22 of COP 10 CBD "Plan of Action for Subnational Governments, Cities and Other Local Authorities". The CoR was an active supporter of these developments;

40. requests that subnational governments and local authorities need to have a place in the institutional framework for sustainable development as relevant governmental actors with full recognition alongside national governments and UN entities. The Rio+20 summit should take the opportunity to adapt the existing structures of the so-called "Major Groups" in order to reflect evolutions since 1992 notably in the role of local and subnational governance, for instance by creating a new and inclusive category of "governmental stakeholders". The CoR deplores that in the current international governance architecture, despite their specific and growing role in governance, the representation of subnational levels of governance at UN bodies is putting them on the same level as civil society, business or other groups which are defined by socioeconomic criteria rather than by their role in the governance system;

41. suggests in this regard that the Rio+20 Summit mandates UNEP (or the future World Environment Organisation), or the Sustainable Development Council (SDC) to create a standing committee for subnational and local governments as a new structure that adequately reflects multi-level governance and offers a permanent mechanism of consultation of and cooperation with subnational governments and local authorities across the world. The Committee of the Regions could serve as a model in this respect;

42. recognises that responsibilities and roles of the subnational and local levels differs widely, both within the European Union and globally and that subnational and local self-governance is constantly developing. It is therefore necessary to bear these differences in mind when trying to involve subnational and local governments as closely as possible in the processes of developing sustainable societies;

43. wishes to stress the importance of common views and coordination to be developed in the work for sustainable development on a global level. In this process, cities and subnational governments are principal players. Important platforms for coordination and exchanging experience are the Covenant of Mayors, Agenda 21 and the Sustainable Development Strategies;

44. stresses that the emphasis of the European Commission on the private sector should not divert attention from the need for the Rio+20 Summit, the EU and Member States to promote sustainable development governance at the level of subnational and local public authorities, including the empowerment of citizens;
45. wishes to emphasise the importance of making citizens the focal point in working towards a sustainable society. Therefore the goals and measures of this process need to be adapted to different local situations. The dialogue concerning both physical and financial measures as well as changes in consumption and behaviour must be based on the existing conditions at subnational and local levels. Action is required to support the direct participation of citizens in working for a sustainable society, such as

— developing consultative processes and creating meeting places for dialogue and the exchange of experience,

— supporting subnational and local development projects, both nationally and internationally, and

— raising the level of knowledge and insight concerning the need for joint efforts to achieve a sustainable society;

46. would like to see the Rio+20 Summit to support the promotion of environmental democracy globally. This could be done by the Aarhus Parties reiterating at Rio+20 their willingness to open the Convention to the whole world, but also in other ways – for example by supporting the introduction of other regional conventions like the Aarhus one, or initiating negotiations on a global Convention on Principle 10 of the Rio Declaration (2);

47. would like to see a development and revival of the Agenda 21 work. Rio+20 should define the future governance frameworks necessary to further develop Local Agenda 21 in this respect. The local Agenda 21, which was initiated after the Rio Summit in 1992, is a good example of a grass-roots process that has produced good and lasting results in the form of both concrete measures and greater insight into, and increased involvement in, sustainability issues among society's players. The insight and participation of citizens is the basis of the local Agenda 21. In many cases local Agenda 21 work has lead to new green jobs;

48. would like to see in particular better knowledge support to the subnational and local levels. In order for the work for a sustainable society to be effective, all players need an accessible planning and decision-making basis. This is also important in connection with follow-up, evaluation and feedback of the results and experience gained in the work for a sustainable society;

49. expects that the Commission in its continued work in preparation for the Rio+20 Summit will develop and strengthen the dialogue with the CoR and its members. The CoR hopes that the EU delegation to the Rio+20 Summit will include an appropriate number of delegates from the CoR.


The President of the Committee of the Regions
Mercedes BRESSO

III
(Preparatory acts)

COMMITTEE OF THE REGIONS

93RD PLENARY SESSION 14 AND 15 DECEMBER 2011

Opinion of the Committee of the Regions on 'The new multiannual financial framework post-2013'
(2012/C 54/08)

THE COMMITTEE OF THE REGIONS

— believes that the level of financing proposed should be seen as the absolute minimum required to deliver the ambitions the Member States have agreed for the EU in the Treaty and the Europe 2020 Strategy;

— reiterates the strong opposition of the CoR to any form of macroeconomic conditionality;

— supports the introduction of only those ex ante conditionalities which serve as an instrument to improve the efficiency of the programmes and calls for the conclusion of a formal partnership agreement between each Member State and their local and regional authorities to be a specific ex-ante conditionality;

— reiterates the CoR’s opposition to the proposed performance reserve, whilst stressing that ex-post conditionalities and the suspension of funds should only apply under certain clearly specified conditions if the expected results are seriously underachieved;

— supports the MFF proposal for the creation of a new "transition" category of regions;

— stresses that the proposed absorption capping rate should not result in a level of commitments lower than the level of actual spend in any Member State during the 2007-2013 period;

— calls for a significant involvement of local and regional authorities in the supervision and management of the infrastructure projects financed under the Connecting Europe Facility;

— welcomes the significant boost to research and innovation proposed under the MFF;

— welcomes the commitment to greening the CAP, as well as the proposals related to the convergence of payments and capping of the level of direct payments;

— regrets that the budget for rural development will continue to remain disproportionately small compared to the funds allocated to direct payments;

— does not believe that major areas of EU spend such as the EGF or GMES programme should be financed outside the scope of the MFF;

— is convinced that the introduction of EU own resources should replace national contributions and expresses its supports for Commission’s VAT and FTT proposals.
I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

Overall budgetary approach

1. welcomes publication of the Commission’s proposals of the 29 June 2011 for the Multiannual Financial Framework 2014-20 (MFF), the draft Council Regulation implementing the MFF, the Interinstitutional Agreement on budgetary matters (IIA), and the package relating to EU own resources. The CoR considers that together these proposals provide a credible framework for funding future EU priorities and a solid basis on which to begin further discussions;

2. believes that the EU budget, although limited in size, is essential to tackle the Union’s challenges. In relation to national budgets, the specificity of the EU budget lies in its European added value, the leverage effect it brings and by the fact that the EU budget consists of up to 94,5 % of investment expenditure and only 5,5 % of administrative expenditure. The CoR considers therefore that there is a need to bring about a change in perception, particularly amongst national treasuries, so that the EU’s core tasks are considered an investment rather than an expense. The MFF should strive to be not only a model of financial efficiency and effectiveness, but also a model of democratic governance and transparency;

3. notes in particular the serious nature of the economic and social difficulties currently faced by Member States and underlines that the EU’s budget, the Europe 2020 Strategy, and European economic governance, should act together in a coordinated fashion to promote stability, sustainable economic growth, environmental protection, social well-being and territorial cohesion and to restore confidence in European integration;

4. supports the main principles underpinning the MFF 2014-20 including a focus on results, leveraging investment from other sources, and above all, simplification of delivery, including bringing together a number of different funding programmes. A particular emphasis should be placed on those groups which experience difficulties in accessing EU financing. The CoR therefore calls for an increase in information and promotion activities, as well as advisory services available at EU level, related to the funds;

5. points out that the design and implementation of the MFF can benefit significantly from the contribution of local and regional authorities. Responsibilities for public investment lie as much with local and regional authorities as with central governments. As such they play a particularly valuable role not only in managing EU funded projects, but also in promoting access to funds and ensuring coordinated spending between different funds;

6. considers therefore that there is significant potential to promote multi-level governance in the design and implementation of the MFF. To this end calls for new ways of working and new forms of partnership with local and regional authorities to be considered by the Commission as a fundamental part of all new forms of governance and financing associated with the MFF;
7. finds it regrettable that equality and gender equality have not been given a prominent position in the Commission proposal, and urges Member States and the European Parliament to work towards gender mainstreaming in the EU budget (gender budgeting);

— budget level, structure, duration

8. reiterates that the EU must have a credible budget of at least 1% of EU GNI (1) so that it can achieve major European objectives in accordance with Europe 2020 goals and the needs of local and regional areas. The CoR considers that, at EUR 1 025 bn or 1.05% EU GNI, the current proposals barely achieve this aim;

9. believes that the level of financing proposed should therefore be seen as the absolute minimum required to deliver the ambitions the Member States have agreed for the Union in the Treaty and the Europe 2020 Strategy. Having proposed a modest MFF, which is constant in real terms with that of the current round, the European Commission and Parliament, with the strong support of the Committee of the Regions, must now do their utmost to defend the proposed level against reduction during the negotiations;

10. welcomes the fact that the budget headings have been renamed to more closely reflect the Europe 2020 priorities, but regrets that the opportunity has not been taken to place all EU funds promoting territorial development under a single heading;

11. notes furthermore that the Commission has not taken the opportunity to move towards a ten year budgetary period but welcomes the possibility to adopt such a cycle from 2020, ensuring stable, longer-term financing and improved democratic oversight;

— budget flexibility, mid-term review, conditionalities

12. regrets the absence of flexibility in the current budget and stresses the need for greater flexibility to move appropriations within budget headings in future;

13. regrets that there is no mention of a possibility to transfer unused budget appropriations or margins to an EU flexibility reserve, instead of returning funds to the Member States;

14. notes the proposal to present an “assessment” in 2016 of the implementation of the MFF, but emphasises that this should instead be a full mid-term review (incorporating the proposed assessment) in 2017, with the possibility to adjust spend based on emerging priorities, subject to certain limits;

(1) All budget figures refer to commitments rather than payments.

15. reiterates the strong opposition of the CoR to any form of macroeconomic conditionalities that would see a discontinuation of funding to local and regional authorities due to economic decisions taken by national governments;

16. supports however the introduction of only those ex-ante conditionalities into the management of EU programmes, which serve as an instrument to improve the efficiency of the programmes and assess actual technical and administrative capacity rather than the implementation of EU legislation; the requirement to draw up strategies, plans or measures as an ex-ante conditionality must not mean that the funds are conditional on the subsequent implementation thereof, including implementation of plans which are not co-financed by EU funds, as this would breach the proportionality and subsidiarity principles;

17. calls for the conclusion of a formal partnership agreement between each Member State and their local and regional authorities to be a specific ex-ante conditionality to be verified by the Commission;

18. stresses that ex-post conditionalities and the suspension of funds should only apply under certain clearly specified conditions if the expected results are seriously underachieved, and calls for national rules on the recovery of previously approved payments to be taken into account. Similarly, close cooperation between national, regional and local authorities is necessary to establish these ex-post conditionalities and avoid the suspension of funds being decided on the basis of criteria which are not strictly objective or measurable;

19. underlines that outcomes and targets must be agreed in conjunction with local and regional authorities and any new administrative burdens should be kept to a minimum. The move towards measuring outcomes should see the current system of measuring detailed inputs and outputs removed accordingly. The conditionalities approach requires clearer and better explanation to stakeholders as to how it will operate in practice;

20. stresses that the new multiannual financial framework of the EU should be fully compliant with the sustainable use of resources and calls for improved analysis of the carbon footprint of investments undertaken with support from the EU Budget;

Budget heading 1 – Smart and inclusive growth

— Proposals relating to cohesion policy

21. endorses the pan-EU nature of the cohesion policy proposed, covering all regions with a majority of funds going to the poorer regions whilst allowing more prosperous regions to continue to address their challenges. The CoR welcomes the explicit reference to economic, social and territorial cohesion as
a sub-ceiling of budget heading 1, but regrets that there is no
margin foreseen. This would allow an increase of funds under
this sub-ceiling if there were funds underspent elsewhere;

22. also notes the amounts proposed for the Structural
Funds (EUR 336bn for ERDF, ESF, and Cohesion Fund, but
excluding “Connecting Europe”) are 3% less than in the
current round which allocates EUR 347bn. The aim should be
to provide financing for Structural Fund programmes which is
at least constant in real terms with the current round;

23. rejects the proposal that richer regions must "primarily
devote their entire" Structural Funds allocation, except ESF, to
energy issues, SME development and innovation. Whilst a
degree of focus is essential within each operational programme,
such limitations at EU level will not ensure added value given
the diverse nature of Europe’s regions and the varied challenges
they face. Freer choice from a wider menu of Europe 2020
thematic objectives should be possible;

24. reiterates the CoR’s opposition to the proposed
performance reserve of 5% of the budget for cohesion policy.
This risks ending up in a lose-lose scenario considering that the
reserve is allocated on the basis of pre-defined national
envelopes. In case the performance criteria are not met (for
which there may be objective and external reasons), the
amounts earmarked for the performance reserve are simply
lost. Successful programme delivery will be sufficient reward
in itself, and expenditure would be better allocated to preven-
tative measures such as technical assistance to build institutional
capacity;

25. supports the MFF proposal for the creation of a new
"transition" category for regions between 75% and 90% of
EU GDP and welcomes the proposed safety net for regions
no longer eligible for convergence support. Emphasises
however that the credibility of cohesion policy is affected by
the use of GDP data which lags several years behind actual
economic conditions;

26. the Commission must take account of those many
regions whose GDP has declined since the 2006-8 reference
period by exploiting the flexibilities within the proposed
financial framework, by using the proposed adjustment
process according to Article 5 of the draft council MFF regu-
lation, and via a mid-term review of the MFF in 2017. In the
programming documents the disparate regional effects of the
economic downturn must be taken into account;

27. reiterates that the European Social Fund (ESF) must
remain strongly established within EU cohesion policy. ESF is
indeed best implemented at the territorial level through inte-
grated place-based programmes rather than via separate
thematic or sectoral programmes at national level;

28. highlights the importance of promoting equality and
gender equality in the EU and in third countries through
sufficient resources dedicated to ESF, the European Devel-
opment Fund and other social programmes;

29. welcomes the proposal to keep the Cohesion Fund allo-
cations to one third of the total cohesion funding at national
level in the eligible Member States (those with less than 90% EU GNI);

30. supports the increase in the budget for European Terri-
torial Cooperation from EUR 9bn to EUR 13bn, and notes the
significant European added value of INTERREG and other
programmes which encourage Europe’s regions to work
together to tackle common challenges;

31. strongly supports the proposal to establish a Common
Strategic Framework (CSF), leading to a single set of strategic
guidelines, for the main EU funds with a territorial dimension.
The CSF must however go beyond aligning funds at the
strategic level to ensure common implementation practices
and procedures between the funds during implementation;

32. agrees with the approach to set the capping rate of
cohesion allocations at a level which reflects actual execution
rates and actual absorption capacities within each member State,
but emphasises that the new cap must be set at a level which
allows an effective cohesion policy to be pursued in all Member
States. In particular the proposed absorption cap should not
result in a level of commitments lower than the level of
actual spend (adjusted for inflation) in any member state
during the 2007-2013 period;

33. insists that the partnership principle must be made a
reality, actively promoted, and strictly enforced. The CoR
welcomes partnership contracts as a tool for strategic
programme planning, but stresses that the practical implemen-
tation of these contracts must respect subsidiarity and the
division of competences in the Member States. The scope of
these contracts must therefore not extend beyond cohesion
policy measures and other CSF funds. Competent local and
regional authorities must be treated as equal partners with
national authorities in preparing, delivering, monitoring and
evaluating the Structural Fund programmes and the associated partnership contracts. Territorial Pacts between local, regional, and national authorities, should also be an option available to formalise partnership arrangements in conjunction with national governments;

34. reiterates its call for the introduction and promotion of "citizen bonds" to foster local development. Citizens bonds could see EU supported projects benefit from additional finance from individual citizens or other public funds who would invest in exchange for a guaranteed and fair return;

35. furthermore emphasises the need to develop local energy solutions via "Smart Cities" which promote clean and efficient energy provision and calls for increased support for local and regional authorities to secure, in particular, the technical expertise needed to draft local and regional action plans to fight climate change and to encourage cross-fertilisation of ideas. Points in this regard to the key role played by the Covenant of Mayors, the budget of which should be increased in order to allow for an expanded scope of action to provide local and regional authorities with the technical expertise to draft climate change action plans and to address more specific energy and resource-related challenges such as water policy;

— Connecting Europe Facility

36. notes the proposal for a new EUR 40bn "Connecting Europe Facility" to support investment in transport, energy and ICT infrastructure of European importance and considers that removing bottlenecks on these networks will be of significant added value to society; there is a need however for significant involvement of local and regional authorities in the supervision and management of such infrastructure projects which is not foreseen in the centralised management arrangements currently proposed;

37. recalls the support of the CoR for the introduction of EU project bonds to fund infrastructure and recalls that such bonds can have a highly beneficial leverage effect on the EU budget. However, such instruments should be seen as a valuable addition to, rather than a replacement for, grant funding as delivered via the Structural Funds;

— Research and innovation funding: "Horizon 2020"

38. considers the current Community research budget to be inadequate, and therefore welcomes the significant boost to research and innovation proposed under the MFF (up from EUR 53bn to EUR 80bn). This moves the Union nearer to the Europe 2020 target of investing 3 % EU GDP into research and innovation, in line with the creation of an "Innovation Union". In particular the CoR calls for a strengthened "Regions of Knowledge" programme, but considers it vital to accelerate the application of research into the market. The CoR supports the idea of increasing the support available for cluster initiatives and other local partnerships which help to boost innovation potential;

39. supports the creation of a "Horizon 2020" common strategic framework for research and innovation, as it has the potential to simplify and consolidate the different funding programmes in this field such as the Research Framework Programme (FP7) and the Competitiveness and Innovation Programme (CIP). The CoR points out however that the CSF for research and innovation should be well coordinated and consistent with the CSF proposed for the territorial funds;

— Education, training, youth

40. welcomes the boost to funding proposed for the EU's specific education, training, youth (including sports) programmes, with a budget increase to EUR 15bn. Such programmes should be complemented by spend under ESF. The CoR particularly welcomes the focus on rationalising and simplifying the current range of youth, education, and training programmes within a single integrated programme, along with simplified processes. However, the "Education Europe" programme should not only target higher education students but also address the complex phenomenon of early school leavers where local and regional authorities have an important role to play. Furthermore, the CoR underlines the growing economic and social importance of the cultural and creative sectors and the need for sufficient support for these sectors under ERDF and ESF;

41. feels that it is absolutely essential, when restructuring the support programmes, to continue to provide for youth support tailored to the specific needs of young people. This new integrated programme should build on the positive foundations of the current Youth in Action programme. It should promote, in line with the EU Youth Strategy not only the development of exchanges between young people and skilled workers but also the increased participation of young people in democratic life in Europe;

Budget heading 2 – Sustainable growth: natural resources

42. notes, as with Structural Funds, the decrease in funds proposed for the Common Agricultural Policy (CAP) from EUR 396bn to EUR 372bn. Notes nevertheless that the CAP, covering both Pillars I and II, still remains a larger item of budget expenditure than the EUR 336bn proposed for the Structural Funds;

43. believes that, given the pressing requirement for the CAP to provide not only for food needs but also to achieve Europe's core tasks, it should be brought more into line with the Europe 2020 strategy to allow farmers to receive payments on an equitable basis to deliver public goods such as an enhanced
approach to food security, the sustainable management of natural resources, biodiversity protection, tackling climate change, and the regeneration of rural areas as a whole;

44. welcomes in particular the fact that the Commission has not elected to fragment the EU funding landscape further with a separate sectoral fund for climate change but has instead opted for the more integrated "mainstreaming" approach to "green" 30 % of expenditure under Pillar I; nonetheless stresses that "greening" must not result in the erosion of Member States' agri-environmental programmes;

45. welcomes the commitment to greening the CAP; and requests that the greening of the CAP includes clear, compulsory and explicit criteria for the beneficiaries concerning soil protection and efficient use of groundwater, as well as steps towards the abolition of all environmentally harmful subsidies;

46. welcomes the proposals related to the convergence of payments and capping of the level of direct payments. This should result in a fairer system of allocation across the Member States. The CoR also fully supports the proposal to permit greater flexibility between the two pillars of the CAP: direct payments and rural development;

47. is concerned that the proposed new EUR 3,5bn "reserve for crises in the agricultural sector" and enlarged the scope of the Globalisation Adjustment Fund translates the Commission's preference for reactive rather than preventive measures, and believes that greater budgetary flexibilities should be used to tackle crises rather than creating an increasing array of different reserves, funds, and emergency instruments outside the MFF; considers in this regard that the viability of the Common Agricultural Policy is inextricably linked to the maintenance of market regulation mechanisms to combat price volatility and guarantee stable prices for both producers and consumers;

48. regrets that the budget for rural development (EUR 90bn) will continue to remain disproportionately small compared to the funds allocated to direct payments, but welcomes that the EAFRD will be more strongly linked to as the other territorial funds within the Common Strategic Framework. CAP and cohesion policy cannot be seen in isolation from each other and must be more closely coordinated than currently. In relation to the removal of the "axis approach", the CoR stresses that other, non-agricultural projects such as promoting social inclusion, poverty reduction and economic development in rural areas (new priority 6) must not receive less attention in future;

49. calls for the continuation of the European food aid programme for the most deprived persons (MDP) at a level not less than that of the current period. If the remit for the programme moves from the Common Agricultural Policy to the European Social Fund then the funds should follow accordingly within the budget structure;

50. is concerned that the inclusion of fisheries policy within an integrated maritime policy under the European Maritime and Fisheries Fund (EMFF) may imply a reduction in the levels of funding allocated to fisheries. Such a reduction is inappropriate given the challenges facing fishing communities;

51. underlines the value of the LIFE+ programme and welcomes its increase in financing to EUR 3,2 bn;

Budget heading 3 - Security and citizenship

52. welcomes the budgetary proposals under this heading and stresses the importance of a fully resourced immigration, asylum and security budget. The CoR especially underlines the need for a coordinated approach towards managing the Union’s external borders, and welcomes moves to develop a Common European Asylum System: a clear area where cooperation at EU level is the only solution. A careful balance should however be found between on the one hand the security (including internal security) and border related strands of the expenditure, and on the other hand expenditure in areas such as integration of migrants and reception conditions for asylum seekers, where actions of local and regional authorities can bring a clear added value;

53. underlines the significance of providing adequate resources to foster fundamental rights, democracy and citizens’ participation in the effort to build a European citizenship, and therefore considers of paramount importance the emphasis given in the Europe for Citizens programme to partnerships in support of EU level civil society;

54. believes the EU’s security is closely linked to the furtherance of democracy, good governance and the rule of law, both inside the Union and in third countries and that it is incumbent upon the Union to promote these values globally;

55. underlines the importance of the EUR 396m proposed for the EU’s public health programme and stresses that sufficient financing must be made available for social, biological and technological innovation in the field of health services. The CoR notes the importance of health and social care as being a significant driver of employment in the future and therefore emphasises that addressing health inequalities must be seen as a budgetary priority;

56. underlines the importance of the proposed EUR 1.6bn for the Creative Europe Programme and highlights that sufficient financing must be available for all actors within the cultural and creative sectors which make an important contribution to Europe 2020 objectives;
Budget heading 4 - Global Europe

57. recognises that the EU carries significant weight at international level, greater than the sum of its individual Member States, and that the challenges faced by the EU require a global response. The CoR welcomes therefore the increased budget to be allocated to Neighbourhood Policy and Development Cooperation (EUR 36bn);

58. supports the Commission's proposal for the rationalisation of instruments in the context of enlargement through the creation of a single integrated pre-accession instrument;

59. reiterates its request to enable local and regional authorities from the European Neighbourhood Policy (ENP) countries to receive financial support for their participation in relevant bodies;

60. underlines its commitment to poverty alleviation and especially to the Millennium Development Goals (MDGs) which must be achieved by 2015 and supports the goal of devoting 0.7% of Member States' GNP to overseas development. Underlines particularly the important role of the EU plays in ensuring a coordinated approach to the provision of humanitarian aid and calls on all Member States to take action to ensure they are meeting their development pledges;

Budget heading 5 – Administration

61. stresses the need to seek out and introduce administrative efficiency savings on an ongoing basis in all EU institutions and advisory bodies whilst not undermining the vital role they play in the pursuit of European goals;

62. underlines that significant savings can be achieved through restructuring and inter-institutional cooperation, as well as through a better organisation of institutional activities via the integrated application of e-solutions;

Funds outside the MFF and corrective mechanisms

63. does not believe as a principle that major areas of EU spend such as the European Development Fund (EDF), the European Globalisation Adjustment Fund (EGF), the Global Monitoring for Environment and Security (GMES) programme, together with other instruments accounting for EUR 58 bn of Union expenditure, should be financed outside the scope of the MFF. This limits the involvement of Parliamentary democracy and harms transparency. As a principle, all items of EU expenditure, even those projected for a longer term, or which may not be deployed, should be subject to debate on equivalent terms to that of the MFF;

64. supports the announced simplification of the very complex system of rebates and corrections and welcomes the fact that new corrections in the form of lump sums are limited in time; also welcomes the Commission's proposal to replace the existing rebate systems with a general correction mechanism. Such a mechanism must in any case ensure that the respective figures do not increase in principle and that consequently there is a fair balance between Member States. A number of the correction mechanisms will automatically end in 2013, but the correction granted to the UK and the related rebates on this correction granted to DE, NL, AT and SE have so far no expiration date. The CoR considers however that a revision of the corrective mechanisms can only be undertaken if the underlying and legitimate reasons for those corrective mechanisms are also addressed;

EU own resources

65. is convinced that the introduction of EU own resources should replace national contributions and recalls that all Member States and national parliaments have signed up to Article 311 TFEU which commits to the EU's budget being financed wholly from own resources. The CoR therefore supports initiatives which would reduce Member States' direct contributions to the EU budget whilst increasing the EU's own resources available to tackle future challenges;

66. therefore expresses its support for the Commission's proposals to establish a new Value Added Tax (VAT) resource. These proposals are ambitious yet much needed;

67. welcomes the proposal to introduce a Europe-wide co-ordinated Financial Transaction Tax (FTT). Taxing the financial sector would make an important contribution towards achieving greater fairness and limit the number of financial activities, in particular speculation;

68. believes that any new systems to finance the Union's budget should guarantee the principles of fairness, economic stability, solidarity, transparency and simplicity and apply to all Member States. To this end a thorough impact and feasibility assessment needs to be carried out before any new own resources can be agreed upon. More importantly a debate should be launched within the Member States including the close involvement of local and regional authorities;

Process and timescales

69. welcomes that the MFF contains specific provisions in the event that it is not adopted by the end of 2012, although recognises that this might in fact act as a disincentive to achieving a timely agreement. The CoR urges the EU institutions therefore to come to an agreement on the proposals within the foreseen timescale;
70. regrets that the European Parliament will still only be given the power of assent over the MFF rather than full co-decision, meaning it cannot formally amend the proposals, and calls therefore upon the Council and the Commission to ensure a maximum of engagement with the Committee of the Regions and the European Parliament through putting in place strengthened cooperation mechanisms;

71. may revise the present opinion during 2012 as negotiations on the MFF progress.

II. RECOMMENDATIONS FOR AMENDMENTS

Amendment 1

Recital 2

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
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<tbody>
<tr>
<td>Taking into account the need for an adequate level of predictability for preparing and implementing medium-term investments, the duration of the financial framework should be set at seven years starting 1 January 2014, with an assessment of the implementation of the financial framework at mid-term. The results of this assessment should be taken into account during the last three years of the duration of the financial framework.</td>
<td>Taking into account the need for an adequate level of predictability for preparing and implementing medium-term investments, the duration of the financial framework should be set at seven years starting 1 January 2014, with an assessment review of the implementation of the financial framework at mid-term. The results of this review assessment should be taken into account during the last three years of the duration of the financial framework.</td>
</tr>
</tbody>
</table>

Reason

See point 13 of the draft opinion.

The Committee of the Regions has received on 24 October 2011 a referral letter from the Council secretariat on the Proposal for a Council Regulation laying down the multiannual financial framework for the years 2014-2020 (COM(2011) 398 final). This draft opinion is due to respond to this referral.

Amendment 2

Recital 8

<table>
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<tr>
<td>The national envelopes for Cohesion for growth and employment are established on the basis of forecast for Gross Domestic Product (hereinafter &quot;GDP&quot;) of spring 2011. Given the forecasting uncertainties and the impact for the capped Member States an assessment should be made in mid-term to compare the forecasted and actual GDP and its impact for the envelopes. In case the GDP for 2014-2016 differs more than +/- 5% from the forecast used in 2011 the envelopes for 2018-2020 for the Member States concerned need to be adjusted. The rules for this adjustment need to be provided for.</td>
<td>The national envelopes for Cohesion for growth and employment are established on the basis of forecast for Gross Domestic Product (hereinafter &quot;GDP&quot;) of spring 2011. Given the forecasting uncertainties and the impact for the capped Member States an assessment review should be made in mid-term to compare the forecasted and actual GDP and its impact for the envelopes. In case the GDP for 2014-2016 differs more than +/- 5% from the forecast used in 2011 the envelopes for 2018-2020 for the Member States concerned need to be adjusted with any additional resources directed to those regions whose GDP has declined the most. The rules for this adjustment need to be provided for.</td>
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Reason

See point 20 of the draft opinion.

The Committee of the Regions has received on 24 October 2011 a referral letter from the Council secretariat on the Proposal for a Council Regulation laying down the multiannual financial framework for the years 2014-2020 (COM(2011) 398 final). This draft opinion is due to respond to this referral.
### Amendment 3

**Article 5**

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<td>In its technical adjustment for the year 2018, if it is established that cumulated Gross Domestic Product (&quot;GDP&quot;) of any Member State for the years 2014-2016 has diverged more than +/- 5 % from the cumulated GDP estimated in 2011 for the establishment of cohesion policy envelopes for Member States for the period 2014-2020, the Commission shall adjust the amounts allocated from funds supporting cohesion to the Member States concerned for that period.</td>
<td>In its technical adjustment for the year 2018, if it is established that cumulated Gross Domestic Product (&quot;GDP&quot;) of any Member State for the years 2014-2016 has diverged more than +/- 5 % from the cumulated GDP estimated in 2011 for the establishment of cohesion policy envelopes for Member States for the period 2014-2020, the Commission shall adjust the amounts allocated from funds supporting cohesion to the Member States concerned for that period. These resources should be directed to those regions whose GDP has declined the most.</td>
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**Reason**

See point 20 of the draft opinion.

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### Amendment 4

**Article 15**

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<tr>
<td>In 2016, the Commission shall present an assessment of the implementation of the financial framework accompanied, where necessary, by relevant proposals.</td>
<td>In 2016-2017, the Commission shall present an assessment a mid-term review (incorporating the proposed assessment) of the implementation of the financial framework accompanied, where necessary, by relevant proposals.</td>
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**Reason**

Makes it clear that there would be an assessment element as part of the proposed full mid-term review and not two separate exercises.

Brussels, 14 December 2011.

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*The President of the Committee of the Regions*

*Mercedes BRESSO*
Opinion of the Committee of the Regions on ‘Energy efficiency’
(2012/C 54/09)

THE COMMITTEE OF THE REGIONS

— points to the great importance of respecting the powers of different levels of governance and the subsidiarity principle when applying energy efficiency measures;

— welcomes the proposal for a directive under review and the Commission’s proposed energy efficiency measures which are aimed at achieving a 20 % cut in primary energy consumption by 2020;

— considers that the proposal for a directive on energy efficiency contains a number of shortcomings, e.g.:

— the limited range of areas in which the measures will apply;

— the minor role assigned to regional and local actors;

— the absence of measures to raise public awareness beyond those taken to promote real-time consumer information on energy consumption;

— rejects the proposal that the public sector should be required to renovate 3 % of its buildings annually and purchase high-energy-performance products, services and buildings.
1. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS,

A. General comments

1. stresses the added value of EU-level action on energy efficiency, which is necessary in order to ensure that individual measures to implement the savings targets are consistent and effective, and to avoid distortions of competition between the Member States; the Committee stresses, however, that this action must of course be implemented at national, regional or local level. As a result, the Committee points to the great importance of respecting the powers of different levels of governance and the subsidiarity principle when applying energy efficiency measures;

2. considers that energy-efficiency challenges are an essential factor in the fight against climate change and in managing our energy consumption, and fall under the heading of sustainable, responsible and inclusive growth aimed at reducing greenhouse gas emissions and improving security of energy supply;

3. notes that the European Union is increasingly dependent on imported energy at a time when prices are rising; considers that access to safe and sustainable energy sources will take on increasing importance, and will be a decisive factor in future economic growth and the emergence of energy justice;

4. points out that the Committee of the Regions has stressed several times that the transition to an economy which makes efficient use of resources, including energy resources, will create immense opportunities for economic growth, jobs which will not be vulnerable to relocation and technological developments which will underpin the Union’s competitiveness;

5. stresses the importance of the trias energetica (energy triad) model laying down the 20-20-20 target with its respective targets for reductions in greenhouse gas emissions, improved energy efficiency and the development of renewable energy sources by 2020. Energy efficiency remains the keystone of European policy for reducing climate impact in relation to security of energy supply, and energy production and consumption;

6. welcomes the proposal for a directive under review and the Commission’s proposed energy efficiency measures which are aimed at achieving a 20 % cut in primary energy consumption by 2020;

7. points out, however, that, as mentioned in the Energy Efficiency Plan 2011 (1), recent studies carried out by the Commission show that the European Union is likely to achieve at most half of its energy efficiency commitment by 2020. In this respect the proposal for a directive represents a particularly important challenge;

8. regrets the absence of any projections in the draft directive going beyond 2020, particularly concerning the crucial 2050 objective (cutting greenhouse gas emissions by between 80 and 95 % compared with 1990 by 2050) for limiting the effects of climate change;

9. considers that the proposal for a directive on energy efficiency contains a number of shortcomings, e.g.:

— the absence of binding national objectives earlier than 2014;

— the limited range of areas in which the measures will apply;

— the minor role assigned to regional and local actors;

— the scope for Member States to avoid obligations regarding the application of binding measures, and more specifically the mechanisms requiring the introduction of energy efficiency measures and high-efficiency cogeneration development plans;

— the absence of measures to raise public awareness beyond those taken to promote real-time consumer information on energy consumption;

— the absence of measures to develop and support training of market actors, including specialists and technicians in various fields related to energy efficiency;

B. Refocusing of the proposal for a Directive on energy efficiency

10. points out that the directive requires the Member States to set a national energy efficiency target expressed as an absolute level of primary energy consumption in 2020. The Commission is required to assess by 30 June 2014 whether the Union can achieve its target of 20% primary energy savings by 2020, taking account of aggregate national objectives. In this context the Committee:

   a. regrets the absence of binding national targets in the directive as well as the fact that any decision on these will not be taken before 2014. It proposes that national energy efficiency targets for each Member State, tailored to their circumstances, be included in the directive which will serve as a reference for national energy efficiency plans which will become binding in 2014;

   b. strongly urges the Commission to propose a common methodology for drawing up binding national targets. This methodology would take account of the specific situation of each Member State, including its economic performance and early action taken;

   c. considers recital 13 (2), introducing purely optional measures and objectives which will initially be indicative, to be inadequate. This process renders hypothetical the achievement of the targets set for 2020. The Committee is concerned that this process will compromise the effectiveness of the measures provided for in the proposal for a directive under review;

11. rejects the quantified targets set for the public sector and the energy distribution and sale sector, but regrets the lack of such targets for the passenger and goods transport sector, and the commercial and industrial sectors which are not covered by the Emissions Trading Scheme (ETS). In particular the Committee:

   a. rejects the proposal that the public sector should be required to renovate 3% of its buildings annually and purchase high-energy-performance products, services and buildings. The Committee:

      (2) Recital 13 describes the introduction of national measures for achieving the 20% target for energy efficiency. If it proves necessary to reinforce the policy framework in order to achieve the target, a two-stage process would be introduced adding a system of binding targets: 1) Member States would be required to draw up indicative or binding national energy efficiency targets, schemes and programmes, and 2) the Commission would assess the likelihood of achieving the target in the light of the objectives previously set. If the result of the assessment is negative, the Commission will propose mandatory national targets for 2020, taking into account the individual starting points of Member States, their economic performance and early action taken.

   — stresses the need to take account of the subsidiarity principle;

   — accordingly, calls for the possibility to implement alternative approaches to achieving energy reduction targets, provided that the same level of reduction in energy consumption is achieved;

   — is in favour of introducing incentives to avoid raising the rent for social housing when energy efficiency work is carried out;

   — points out that greater energy efficiency can only be achieved if financial resources are made available at European, national, regional and local level as well as tools such as energy performance contracts and public-private partnerships. It stresses the importance of introducing measures encouraging Member States and local and regional authorities to make use of the resources available from the Structural Funds to trigger investments in energy efficiency improvement measures and explicitly supports the guidelines in this respect included in the Commission’s proposal on the multiannual financial framework;

   — points out that balanced rules need to be implemented at Member-State level to divide the costs and benefits of energy-saving measures transparently between building owners and tenants; until such rules are in place, it will be difficult to mobilise the necessary investment;

   b. invites public authorities to consider the introduction of additional objectives, e.g. including the public lighting and transport sectors, subject to adequate funds being provided;

   c. recommends the introduction of binding targets for the transport, tertiary, industrial and commercial sectors, and that particular attention be paid to installations that are not covered by the ETS;

12. welcomes the introduction of mechanisms requiring energy efficiency measures, particularly measures requiring energy distributors to achieve annual energy savings equal to 1.5% of their energy sales (3); and reiterates the importance of taking account of the subsidiarity principle when introducing mechanisms requiring energy efficiency measures;

   (3) The mechanisms requiring the adoption of energy efficiency measures, as defined in Article 6(1) of the proposal for a directive, comprise measures requiring all energy distributors or all retail energy sales companies operating on the Member State’s territory to achieve annual energy savings equal to 1.5% of their energy sales, by volume, in the previous year in that Member State excluding energy used in transport.
It regrets:

a. the option left open to Member States of proposing alternative measures which could result in the private sector’s obligation being transferred to the public sector, thus increasing the burden on taxpayers;

b. that the Directive fails to address the central problem of how to incentivise energy distributors and retail sales companies to reduce their energy sales by 1.5% year on year; and that the provision that Member States may “include requirements with a social aim in the savings obligations they impose” will not be sufficient to protect our poorest citizens from further increases in energy prices;

c. the inclusion of alternative measures among the measures required to be adopted by 1 January 2013 aimed at achieving energy savings from final consumers. The Committee is concerned that these alternative measures, as currently defined, could defeat the object of the mechanisms requiring the introduction of measures;

13. stresses the key role of regional and local actors in the process of preparing and implementing energy efficiency programmes. Local and regional authorities, which are responsible for local housing, labour, transport and training policies, are in contact with the general public and all local actors when drawing up policies designed to meet the concerns of the public and respond to local and regional energy efficiency challenges and are best placed to influence behavioural change in the way citizens use energy in a new era of microgeneration, smart grid technology and variable pricing. The Committee therefore proposes boosting the involvement of regional and local actors by means of measures encouraging:

a. Member States to introduce a consultation process involving regional and local actors in the drafting of national plans (bottom-up approach), also ensuring that national plans are consistent with local, regional and national targets and means;

b. regional and local authorities to establish regional and local energy efficiency plans promoting, for example, decentralised energy production, programmes for the renovation of public buildings and sustainable local transport plans. It also draws attention to the importance of the European Covenant of Mayors initiative and the Pact of Islands initiative and proposes that measures requiring Member States to support and promote these initiatives be included in the directive;

c. regional authorities to support their local actors, given their knowledge and their ability to analyse opportunities for, and obstacles to, the introduction of energy efficiency measures, their efforts to raise public awareness and their support for the introduction of local programmes and projects and the training of actors;

d. regional and local authorities to establish, where they do not already exist, mechanisms for the observation and measurement of energy and greenhouse gases in order to make political decisions more effective;

e. regional authorities to support and boost interregional cooperation programmes promoting the transfer of energy efficiency know-how between regions;

14. draws attention to the importance of public information and awareness-raising. Individual action is essential to ensure respect for the environment and proper implementation of energy efficiency measures affecting the public. Public information and awareness raising are essential. In this connection the Committee:

a. supports the measures adopted to promote real-time consumer information on energy consumption and billing (electricity, gas, heating);

b. stresses the key importance of protection of personal data, especially as regards suppliers, and free and easy access to this information for final consumers and reiterates that these data should be easy for final consumers to understand and use;

c. recommends the introduction of metering systems enabling final consumers to manage their costs and reduce their consumption by means of tariff options available from the energy distributor;

d. regrets in this connection that the directive does not provide for additional measures publicising ways of reducing energy consumption;

15. welcomes the promotion of energy audits for companies and affordable audit programmes for final consumers and small and medium-sized enterprises. However, in order to optimise the quality of audits, it recommends:

a. that training be made available for specialists, leading to an officially recognised qualification;
b. that explicit reference be made to European technical standards (EN 16001) for energy management systems and that the certification they provide for be promoted;

c. that the public sector be included in this measure;

d. the implementation of the measures proposed in the audits;

16. welcomes the measures proposed to develop energy services. However, the Committee:

a. recommends that they should not be limited solely to energy performance contracts, and that all energy services should be promoted, such as compulsory periodic servicing of heating and cooling systems and the introduction of thermal regulation systems;

b. regrets the absence of specific measures aimed at reducing administrative and legal barriers to the introduction of energy performance contracts, for example measures concerning energy efficiency;

17. highlights the key importance of training issues. In this connection it stresses the importance for Member States and regional and local actors of introducing training for specialists and sector professionals which meets the challenges posed by the directive under review.

II. RECOMMENDATIONS FOR AMENDMENTS

Amendment 1

Article 1(1)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to ensure the achievement of the Union's target of 20% primary energy savings by 2020 and to pave the way for further energy efficiency improvements beyond that date.</td>
<td>1. This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to ensure the achievement of the Union's target of 20% primary energy savings by 2020 and to pave the way for further energy efficiency improvements beyond that date, with a view to achieving the EU target of reducing greenhouse gas emissions by between 80% and 95% compared with the 1990 level by 2050.</td>
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Reason

On 8 March 2011, the Commission adopted a Roadmap for moving to a competitive low carbon economy in 2050 (4), identifying the need from this perspective for more focus on energy efficiency. The energy efficiency measures set out in the proposal for a directive do not look beyond 2020 or towards 2050, the deadline adopted by the Commission itself.

Amendment 2

Article 2(7)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
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<tbody>
<tr>
<td>7. &quot;energy distributor&quot; means a natural or legal person, including a distribution system operator, responsible for transporting energy with a view to its delivery to final customers or to distribution stations that sell energy to final customers;</td>
<td>7. &quot;energy distributor&quot; means a natural or legal person, including a distribution system operator, whose main business is responsible for transporting energy with a view to its delivery to final customers or to distribution stations that sell energy to final customers;</td>
</tr>
</tbody>
</table>

Reason

This amendment and a related one to article 2(9) help to better define "energy distributor" and "retail energy sales company" to avoid possible unintended consequences.

For instance, tenants may be billed for energy in different ways. In many places, it is billed directly to the tenant by the energy supply company, but in others, it is the landlord who bills, either solely for the energy or as part of an overall service charge comprising many elements which may be separated and itemised.

(4) COM(2011) 112 final.
The purpose of the amendment is to provide greater legal certainty that those billing tenants for the energy supplied to the building are not caught up in Directive-imposed obligations not intended for them. The exemption (Article 6(8)) for small energy distributors and small retail energy sales companies does not constitute a sufficient safeguard.

Amendment 3

Article 2(9)

<table>
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<tr>
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<tbody>
<tr>
<td>9. &quot;retail energy sales company&quot; means a natural or legal person who sells energy to final customers;</td>
<td>9. &quot;retail energy sales company&quot; means a natural or legal person whose main business is to sell energy to final customers;</td>
</tr>
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</table>

Reason

This amendment and a related one to article 2(7) help to better define "energy distributor" and "retail energy sales company" to avoid possible unintended consequences.

For instance, tenants may be billed for energy in different ways. In many places, it is billed directly to the tenant by the energy supply company, but in others, it is the landlord who bills, either solely for the energy or as part of an overall service charge comprising many elements which may be separated and itemised.

The purpose of the amendment is to provide greater legal certainty that those billing tenants for the energy supplied to the building are not caught up in Directive-imposed obligations not intended for them. The exemption (Article 6(8)) for small energy distributors and small retail energy sales companies does not constitute a sufficient safeguard.

Amendment 4

Article 3(1)

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1. Member States shall set a national energy efficiency target expressed as an absolute level of primary energy consumption in 2020. When setting these targets, they shall take into account the Union’s target of 20 % energy savings, the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.</td>
<td>1. Member States shall set a national energy efficiency target expressed as an absolute level of primary energy consumption in 2020. When setting these targets, they shall take into account the Union’s target of 20 % energy savings, the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.</td>
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</table>

1. The Commission shall propose national targets with a view to achieving the 2020 energy efficiency target, expressed as an absolute level of primary energy consumption. The methodology used by the Commission to set national targets shall take account of the individual starting points of Member States, their economic performance and early action taken. These targets shall become binding on 30 June 2014.

Member States shall apply these targets, in consultation with local and regional authorities, to all the sectors listed in the directive, as well as to the passenger and goods transport sector, and the tertiary, commercial and industrial sectors, and particularly to installations not covered by the Emissions Trading Scheme (ETS).

These targets shall also apply to other energy-consuming sectors, such as the primary sector.
Reason

As things stand, the European Union will be able to achieve only half its energy efficiency commitment for 2020. The Committee proposes that the directive include national targets which will become binding in 2014. Moreover it believes that the passenger and goods transport sector, and the commercial and industrial sectors not covered by the Emissions Trading Scheme (ETS) should also be included in the plans implemented by the Member States and made subject to national targets on an equal footing with the other sectors.

The European Commission’s objective of 20% energy savings by 2020 should in principle be supported. The period to 2020 is relatively short and short and medium-term measures need to be implemented as quickly as possible. We propose a methodology for assessing the progress of each Member State on energy efficiency. In Directive 2009/28 on renewable energy the European Commission set an overall target of 20%, to be applied in the Member States in line with their capacity to achieve it. We suggest the same approach for energy efficiency, taking account of the current situation in each of the countries.

It should also be stressed that the energy consumption of the primary sector (agriculture, stock breeding, fisheries) relies on sources of fossil energy, mostly imported. The economic and environmental impact of this state of affairs constitutes a sufficient reason to include specific mention of the primary sector in the article under consideration.

Amendment 5

Article 4

<table>
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<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
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<tr>
<td>1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.</td>
<td>1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.</td>
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<tr>
<td>2. Member States may allow their public bodies to count towards their annual renovation rate the excess of renovated building floor area in a given year as if it has instead been renovated in any of the two previous or following years.</td>
<td>2. Under Article 4(2) of Directive 2010/31/EU on the energy performance of buildings, Member States may decide not to set or apply the requirements referred to in paragraph 1 to buildings officially protected as part of a designated environment, or because of their special architectural or historical merit, in so far as compliance with certain minimum energy performance requirements would unacceptably alter their character or appearance.</td>
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<tr>
<td>3. For the purposes of paragraph 1, by 1 January 2014, Member States shall establish and make publicly available an inventory of buildings owned by their public bodies indicating: (a) the floor area in m²; and</td>
<td>3. For the purposes of paragraph 1, by 1 January 2014, Member States and local and regional authorities shall establish and make publicly available an inventory of buildings owned by their public bodies indicating: (a) the floor area in m²; and</td>
</tr>
</tbody>
</table>
(b) the energy performance of each building.

4. Member States shall encourage public bodies to:

(a) adopt an energy efficiency plan, freestanding or as part of a broader climate or environmental plan, containing specific energy saving objectives, with a view to continuously improving the body's energy efficiency;

(b) put in place an energy management system as part of the implementation of their plan.

(c) establish an energy accounting system in the public sector, preferably under the auspices of the international standard ISO 50001;

(d) introduce a system of continuous testing to ensure the proper use of Energy Performance Contracts as an energy service model, with a view to reducing the energy consumption of public buildings and municipal installations such as the lighting of public spaces or water processing plants;

(e) provide financial and other support to public bodies at local, regional and national level required to implement the national energy efficiency plans referred to in Article 3.

(f) raise the awareness of occupants of these buildings to energy-saving use and that of managers to good management and maintenance of these assets.

Reason

As things stand, the European Union is likely to attain only half of its energy saving targets. There is a need to step up action, particularly by setting binding targets. In the absence of binding national targets it is important to promote sectoral objectives, particularly for buildings, which represent the greatest potential for energy efficiency.

The following points cause us to support the directive:

1. The European Union has set up financial mechanisms (ELENA, JESSICA, etc.) and funds dedicated to energy efficiency (EEE-F etc.), the financial framework 2014-2020 which at present makes provision for a high percentage of structural funding being dedicated to energy efficiency. There are other financial tools such as energy performance contracts, public-public partnerships, and national and regional energy efficiency funds which encourage work on energy efficiency at a time when public money is in increasingly short supply.

2. There are less expensive solutions, with shorter returns on investment, such as maintenance of heating and cooling systems, thermal regulation systems for buildings which allow for progressive investment.

3. The directive on the energy performance of buildings takes account of the diversity of buildings, exempting some of them (historic buildings, temporary buildings, barns etc). It also takes account of the climatic diversity between states in the north and south.

4. The energy efficiency of a building contributes to local jobs which cannot be relocated: the energy-related renovation of four dwellings creates the equivalent of one job.

5. The Member States have just been given a roadmap on the training of craftsmen for the implementation of the directive on the energy performance of buildings.
The proposal for a directive can be improved, however, taking account of the following points:

1. It is important to remember that the directive on the energy performance of buildings 2010/31 leaves the Member States the choice as to whether or not to require the renovation of protected buildings which are part of a designated environment.

2. European standards on energy management and accounting should be used.

3. Access to energy performance contracts should be facilitated.

4. The Member States must support the regions and local authorities by offering financial or other aid.

5. Finally, it would be appropriate to encourage the public authorities to put in place training and awareness raising instruments aimed at sound management and maintenance of buildings and energy-saving use by users.

These elements are important for achieving the 2020 energy efficiency target.

**Amendment 6**

**Article 5**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
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<tbody>
<tr>
<td>Purchasing by public bodies</td>
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</tr>
<tr>
<td>Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III.</td>
<td>Without prejudice to Directive 2004/18/EC, Member States shall ensure that public bodies purchase only products, services and buildings with the highest energy efficiency performance, as referred to in Annex III. Member States shall encourage the development and uptake of energy services, as defined in Article 2, in this respect public bodies shall assess the possibility of concluding long term energy performance contracts as referred to in Article 14b, as and when appropriate.</td>
</tr>
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**Reason**

Requiring public authorities to purchase only products, services and buildings with high energy efficiency performance raises some worries about EU attempts to use public procurement to address strategic policy goals. The decision choice of whether to include energy efficiency criteria in public procurement should be left to the local or regional authority itself and any EU related requirement must remain entirely voluntary.

In the interests of the legal certainty and integrity of the single market, it is essential that the directive under consideration be consistent with existing EU provisions and legislation on public procurement. In this context it should be stressed that the Member States have direct responsibility for guiding public procurement in order to achieve energy efficiency targets which could not otherwise be met. It is appropriate to recommend, as the European Parliament’s draft report does, not just high energy standards but the highest possible energy standards.

When the proposal for a directive tackles the question of energy efficient services in the context of public purchasing, its wording refers exclusively to services using high energy performance products. It ought, rather, to refer to services in the broader sense, including high-efficiency services, as defined in Article 2.
Amendment 7
Article 6(9)

<table>
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<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
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<tr>
<td>9. As an alternative to paragraph 1, Member States may opt to take other measures to achieve energy savings among final customers. The annual amount of energy savings achieved through this approach shall be equivalent to the amount of energy savings required in paragraph 1. Member States opting for this option shall notify to the Commission, by 1 January 2013 at the latest, the alternative measures that they plan to adopt, including the rules on penalties referred to in Article 9, and demonstrating how they would achieve the required amount of savings. The Commission may refuse such measures or make suggestions for modifications in the 3 months following notification. In such cases, the alternative approach shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified draft measures.</td>
<td>9. As an alternative to paragraph 1, the Member States may opt to allow the parties involved to meet their obligations partially by paying additional sums into financial instruments intended to feed into public investment in connection with energy efficiency. For illustrative purposes, it is recommended that the Member States allow the parties involved to fulfil between 25% and 50% of their obligation annually by paying into the financing instruments. This shall be done by contributing to the financing facility an amount equal to the investment costs estimated to achieve the corresponding share of their obligation. In general terms, the Member States must ensure that these instruments are used to finance public investment, with priority for energy efficiency.</td>
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Reason

It is proposed that the Member States adopt other measures to achieve energy savings. If Member States do not succeed in involving the private sector, there is a danger that these measures will be implemented using public funds only, with a corresponding burden on taxpayers. It is strongly recommended that this paragraph be dropped to eliminate any ambiguity.

It is also possible to envisage an alternative measure such as that proposed in the European Parliament’s draft report on the energy efficiency directive, which makes provision for providing resources to financial instruments for energy efficiency measures.

Amendment 8
Article 6(10)

<table>
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<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
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<tr>
<td>10. If appropriate, the Commission shall establish, by means of a delegated act in accordance with Article 18, a system of mutual recognition of energy savings achieved under national energy efficiency obligation schemes. Such a system shall allow obligated parties to count energy savings achieved and certified in a given Member State towards their obligations in another Member State.</td>
<td>10. If appropriate, the Commission shall establish, by means of a delegated act in accordance with Article 18, a system of mutual recognition of energy savings achieved under national energy efficiency obligation schemes. Such a system shall allow obligated parties to count energy savings achieved and certified in a given Member State towards their obligations in another Member State.</td>
</tr>
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Reason

The system of mutual recognition of energy savings allowing obligated parties to count energy savings achieved and certified in a given Member State towards their obligations in another Member State has the major potential drawback of discouraging local employment in the Member States concerned. It is strongly recommended that this paragraph be dropped to eliminate any such impact.
### Amendment 9

**Article 8(1)**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
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<tbody>
<tr>
<td>1. Member States shall ensure that final customers for electricity, natural gas, district heating or cooling and district-supplied domestic hot water are provided with individual meters that accurately measure and allow to make available their actual energy consumption and provide information on actual time of use, in accordance with Annex VI.</td>
<td>1. Member States shall ensure that, where technically feasible and cost effective, final customers for electricity, natural gas and fuels, district heating or cooling and district-supplied domestic hot water are provided with individual meters that accurately measure and allow to make available their actual energy consumption and provide information on actual time of use, in accordance with Annex VI.</td>
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When Member States put in place the roll-out of smart meters foreseen by Directives 2009/72/EC and 2009/73/EC concerning electricity and gas markets, they shall ensure that the objectives of energy efficiency and final customer benefits are fully taken into account when establishing the minimum functionalities of the meters and obligations imposed on market participants.

In the case of electricity and on request of the final customer, meter operators shall ensure that the meter can account for electricity produced on the final customer’s premises and exported to the grid. Member States shall ensure that if final customers request it, metering data on their real-time production or consumption is made available to a third party acting on behalf of the final customer.

In the case of heating and cooling, where a building is supplied from a district heating network, a heat meter shall be installed at the building entry. In multi-apartment buildings, individual heat consumption meters shall also be installed to measure the consumption of heat or cooling for each apartment. Where the use of individual heat consumption meters is not technically feasible, individual heat cost allocators, in accordance with the specifications in Annex VI(1.2), shall be used for measuring heat consumption at each radiator.

Member States shall introduce rules on cost allocation of heat consumption in multi-apartment buildings supplied with centralised heat or cooling. Such rules shall include guidelines on correction factors to reflect building characteristics such as heat transfers between apartments.

### Reason

Given that the subsidiarity principle is stressed by the rapporteur in the draft opinion, Members States must retain some flexibility to implement the proposal as differences in the construction of buildings can affect heat use by end-users.

Equally, the total economic and environmental costs of the proposal must be taken into consideration to ensure its overall effectiveness. This would include maintenance, management and replacement costs.

First, it is proposed that smart meters cover the whole range of fuels. Secondly, in line with the general comments, it seems appropriate to mention here that final consumers must be able to manage their costs and reduce their energy consumption. It is important to make it clear that the introduction of these systems must not be at the cost of the final consumer.
Amendment 10

Article 8(3)

Text proposed by the Commission

3. Information from metering and billing of individual consumption of energy as well as the other information mentioned in paragraphs 1, 2, 3 and Annex VI shall be provided to final customers free of charge.

CoR amendment

3. Information from metering and billing of individual consumption of energy as well as the other information mentioned in paragraphs 1, 2, 3 and Annex VI shall be provided to final customers free of charge or to third parties acting on their behalf. Member States shall guarantee the protection of personal data as regards energy suppliers.

Reason

In order to avoid misunderstandings, it is worth making it clear here that only parties acting on behalf of the final customers concerned should have access to this personal data. Developments in metering and billing methods towards smart systems will generate personal digital data. This information should be protected in the interests of confidentiality and protection of final customers' consumption data.

Amendment 11

Article 8(4) (new paragraph)

Text proposed by the Commission

4. The Member States, in close cooperation with local and regional authorities and actors, shall introduce public advice and awareness plans. These plans shall be geared towards developing a new energy culture, in which the public is able to play an active role in decision-making in the field of energy consumption.

CoR amendment

Reason

The directive does not give enough weight to the benefits of individual action. Individuals should not be ignored when applying energy efficiency measures, and the potential contribution of public awareness campaigns to achieving the 2020 target should not be neglected.

Amendment 12

Article 10(1)

Text proposed by the Commission

1. By 1 January 2014, Member States shall establish and notify to the Commission a national heating and cooling plan for developing the potential for the application of high-efficiency cogeneration and efficient district heating and cooling, containing the information set out in Annex VII. The plans shall be updated and notified to the Commission every five years. Member States shall ensure by means of their regulatory framework that national heating and cooling plans are taken into account in local and regional development plans, including urban and rural spatial plans, and fulfil the design criteria in Annex VII.

CoR amendment

1. By 1 January 2014, Member States shall establish and notify to the Commission a national heating and cooling plan, in consultation with local and regional authorities, for developing the potential for the application of high-efficiency cogeneration and efficient district heating and cooling, containing the information set out in Annex VII. The plans shall be updated and notified to the Commission every five years. Member States shall ensure by means of their regulatory framework that national heating and cooling plans are taken into account in local and regional development plans, including urban and rural spatial plans, and fulfil the design criteria in Annex VII.

Reason

It is important that regional and local authorities be consulted in drawing-up and implementing district heating and cooling plans.
Amendment 13

Article 10(4)

Text proposed by the Commission

4. Member States may lay down conditions for exemption from the provisions of paragraph 3 when:

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met;

(b) the requirement in point (b) of paragraph 3 related to the location of the installation cannot be met due to the need to locate an installation close to a geological storage site permitted under Directive 2009/31/EC;

(c) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

CoR amendment

4. Member States may lay down conditions for exemption from the provisions of paragraph 3 when:

(a) the threshold conditions related to the availability of heat load set out in point 1 of Annex VIII are not met;

(b) the requirement in point (b) of paragraph 3 related to the location of the installation cannot be met due to the need to locate an installation close to a geological storage site permitted under Directive 2009/31/EC;

(c) a cost-benefit analysis shows that the costs outweigh the benefits in comparison with the full life-cycle costs, including infrastructure investment, of providing the same amount of electricity and heat with separate heating or cooling.

Member States shall notify such conditions for exemption to the Commission by 1 January 2014. The Commission may refuse those conditions or make suggestions for modifications in the 6 months following notification. In such cases, the conditions for exemption shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified conditions.

(d) new high efficiency gas- or coal-fired power stations have to be authorised by a Member State to benefit from exemption on economic grounds or for ensuring network stability.

Reason

Alongside high efficiency cogeneration, new, high efficiency gas- and coal-fired power stations should also be permitted by Member States on an equal basis, on economic grounds and for ensuring network stability. The exemption arrangements set out in the draft directive, which provide for a scrutiny reservation on the part of the Commission, is not enough here. An appraisal of the economic value of a power station and its contribution to network stability must continue to fall within the remit of Member States.

Amendment 14

Article 19(4)

Text proposed by the Commission

The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States.

CoR amendment

The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States. With regard to the annual reports and supplementary reports, the Member States must put in place mechanisms providing regional and local authorities with access to the information they need for drawing up such reports.
Reason

Paragraph 13 of the Committee of the Regions’ policy recommendations highlights the key role of regional and local stakeholders in the process of implementing energy efficiency programmes. We therefore suggest stepping up this level of participation via a range of measures, including those highlighted in point d), with regional and local bodies putting in place mechanisms to observe and measure energy and greenhouse gas emissions, with a view to improving the results of policy decisions. In order to set up these observation and measuring mechanisms, on the basis of which the annual reports and supplementary reports will then be drawn up in conjunction with the Member States and ultimately assessed by the Commission, the means must be made available to provide greater information than is held by energy operators.

Amendment 15

Article 19(8)-(9)

<table>
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<th>Text proposed by the Commission</th>
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<tr>
<td>8. By 30 June 2018, the Commission shall report to the European Parliament and the Council on the implementation of Article 6. That report shall be followed, if appropriate, by a legislative proposal for one or more of the following purposes:</td>
<td>8. By 30 June 2016, the Commission shall report to the European Parliament and the Council on the implementation of Article 6. That report shall be followed, if appropriate, by a legislative proposal for one or more of the following purposes:</td>
</tr>
<tr>
<td>(a) to change the saving rate laid down in Article 6(1);</td>
<td>(a) to change the saving rate laid down in Article 6(1);</td>
</tr>
<tr>
<td>(b) to establish additional common requirements, in particular as regards the matters referred to in Article 6(5).</td>
<td>(b) to establish additional common requirements, in particular as regards the matters referred to in Article 6(5).</td>
</tr>
<tr>
<td>9. By 30 June 2018, the Commission shall assess the progress made by Member States in removing the regulatory and non-regulatory barriers referred to in Article 15(1); this assessment shall be followed, if appropriate, by a legislative proposal;</td>
<td>9. By 30 June 2014, the Commission shall assess the progress made by Member States in removing the regulatory and non-regulatory barriers referred to in Article 15(1); this assessment shall be followed, if appropriate, by a legislative proposal;</td>
</tr>
</tbody>
</table>

Reason

The intermediate dates seem inappropriate. 2018 is too close to the 2020 deadline for significant action to be undertaken. The Committee therefore recommends that the deadlines be shortened, to 2016 for the forwarding of the report on the implementation of the mechanisms requiring the adoption of energy efficiency measures, and to 2014 for the assessment of progress by the Member States in removing regulatory and non-regulatory barriers.

Amendment 16

New Article 15

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The Member States, in coordination with the local and regional authorities and actors, shall adopt all necessary measures for the training of energy efficiency specialists. As part of this process, they shall ensure appropriate further training which will be accessible to all professionals already active in the field. They shall also ensure that training courses for future professionals are reviewed and regularly adapted in this light. The Member States, in cooperation with the local and regional authorities and actors, shall also set up training programmes that are open to all and whose scope is such that they can train a sufficient number of certified experts for the execution of tasks such as the delivery of energy performance certificates and the inspection of technical systems.</td>
<td></td>
</tr>
</tbody>
</table>
2. The Member States, in coordination with the local and regional authorities and actors, shall report on the initiatives taken and the results achieved in the area of training, as well as on new measures they intend to take, if necessary. The Member States, in cooperation with their local and regional authorities and actors, shall carry out a study on training needs.

Reason

The training of energy efficiency sector experts and professionals is needed in order to achieve the objectives relating to the deployment of the energy efficiency measures as well as in order to ensure the quality and effectiveness of the action taken. Local and regional authorities are essential to the development and implementation of this training.

Amendment 17

Annex III

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy efficiency requirements for purchasing products, services and buildings by public bodies</td>
<td>Energy efficiency requirements for purchasing products, services and buildings by public bodies</td>
</tr>
<tr>
<td>Public bodies that purchase products, services or buildings shall:</td>
<td>Public bodies that purchase products, services or buildings shall:</td>
</tr>
<tr>
<td>a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EC, purchase only the products that comply with the criterion of belonging to the highest energy efficiency class while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;</td>
<td>a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EC, purchase only the products that comply with the criterion of belonging to the highest energy efficiency class while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;</td>
</tr>
<tr>
<td>b) where a product not covered under point a) is covered by an implementing measure under Directive 2009/125/EC adopted after the entry into force of this Directive, purchase only products that comply with energy efficiency benchmarks specified in that implementing measure;</td>
<td>b) where a product not covered under point a) is covered by an implementing measure under Directive 2009/125/EC adopted after the entry into force of this Directive, purchase only products that comply with energy efficiency benchmarks specified in that implementing measure;</td>
</tr>
<tr>
<td>c) purchase office equipment products covered by Council Decision [2006/1005/EC] that comply with energy efficiency requirements not less demanding than those listed in Annex C of the Agreement attached to that Decision;</td>
<td>c) purchase office equipment products covered by Council Decision [2006/1005/EC] that comply with energy efficiency requirements not less demanding than those listed in Annex C of the Agreement attached to that Decision;</td>
</tr>
<tr>
<td>d) purchase only tyres that comply with the criterion of having the highest fuel energy efficiency class, as defined by Regulation (EC) No 1222/2009. This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons;</td>
<td>d) purchase only tyres that comply with the criterion of having the highest fuel energy efficiency class, as defined by Regulation (EC) No 1222/2009. This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons;</td>
</tr>
<tr>
<td>e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (d), when providing the services in question;</td>
<td>e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (d), when providing the services in question;</td>
</tr>
<tr>
<td>f) purchase or rent only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1). Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.</td>
<td>f) purchase or rent only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1). Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.</td>
</tr>
</tbody>
</table>
Reason

Whilst it is understood that the purpose of this sub-paragraph is to get public bodies to extend the reach of the directive to the suppliers of services, thereby providing a multiplier effect, this provision imposes a substantial administrative and financial burden in the accurate scrutiny on contractors' compliance, going beyond the prudential verification that a service has been provided as specified in the tender.

Brussels, 14 December 2011.

The President
of the Committee of the Regions
Mercedes BRESSO
Opinion of the Committee of the Regions on the ‘Common consolidated corporate tax base (CCCTB)’
(2012/C 54/10)

THE COMMITTEE OF THE REGIONS:

— welcomes the fact that, since the creation of the European Union, company taxation has received special attention as a key element in the establishment of the internal market;

— is of the opinion that it would simplify matters for businesses if they only had to deal with a single tax administration for the calculation of their tax base: one which would be responsible, moreover, for all questions and disputes relating to that tax base. It would also enable them to save on administrative costs, with just one and not 27 authorities to deal with in order to establish their tax base;

— would like the Commission to consider the impact of the arrangement whereby tax losses can be carried over indefinitely and to explore possible anti-abuse measures;

— without directly calling into question the principle underpinning the directive, believes that the proposal should be reviewed taking into account the need for (a) sufficient quantitative and qualitative indicators to allow a full assessment of the subsidiarity implications of a cross-border proposal of this nature; (b) more data on the full implications of the CCCTB; and (c) an analysis of the impact of the proposal on local and regional authorities.
I. INTRODUCTION

THE COMMITTEE OF THE REGIONS

1. welcomes the fact that, since the creation of the European Union, company taxation has received special attention as a key element in the establishment of the internal market;

2. believes that development of cross-border economic activities is often hindered by a large number of different rules, especially on taxation, that are a major obstacle for small and medium-sized enterprises in particular and a barrier to the development of the internal market;

3. also draws attention to the 1990 Commission communication on company taxation (SEC(90) 601) which gave rise to several important measures on direct taxation, such as the Merger Directive 90/434/EEC, the Parent-Subsidiary Directive 90/435/EEC and the Arbitration Convention 90/436/EEC. The list of European tax measures was completed one decade later with the directive on interest and royalty payments 2003/49/EC;

4. is pleased to note that since the year 2000 the Commission has returned to a more ambitious tax policy, seeking to ensure that all corporate activities at EU level are covered by a common consolidated corporate tax base. This "new" Commission drive was reaffirmed in communications from 2003 (COM(2003) 726) and 2005 (COM(2005) 702);

5. notes that November 2004 marked a clear turning point in the Commission's declarations, with the setting-up of a working group to look into the creation of a common consolidated corporate tax base (the CCCTB WG);

6. has examined the work of the CCCTB WG and, in particular, the working document entitled "CCCTB: possible elements of a technical outline" (CCCTB/WP/57), which to a large extent provides the technical basis for the Proposal for a Council Directive on a Common Consolidated Corporate Tax Base (CCCTB) of 16 March 2011 (COM(2011) 121 final) - the subject of this opinion;

II. ASSESSMENT OF THE PROPOSAL

7. is of the opinion that it would simplify matters for businesses if they only had to deal with a single tax administration for the calculation of their tax base: one which would be responsible, moreover, for all questions and disputes relating to that tax base. It would also enable them to save on administrative costs, with just one and not 27 authorities to deal with in order to establish their tax base;

8. notes that the concept of a "one-stop-shop" (the principal tax authority) must not result in groups of companies being able to choose their tax domicile in Europe freely, as is the case for groups with their parent company in a third country;

9. takes note that, according to the Commission, consolidation of taxable results would be a response to the issue of transfer pricing and also provide substantial savings for businesses in terms of administrative costs, since "pan-European" transactions would no longer be subject to transfer pricing reports. Consolidation would also be a response to the issue of cross-border loss compensation;

10. notes that the proposal also stipulates that it "is not intended to influence the tax revenues and the impact on the distribution of the tax bases between the EU Member States (...)" however, the natural and logical conclusion to a CCCTB is the alignment of corporate tax rates;

11. points out that the proposal is about putting in place common rules to determine the taxable base of businesses operating under the CCCTB system. When businesses form part of a group, the common tax base would also be determined on a consolidated basis;

12. stresses that the current proposal does not cover harmonisation of tax rates, and that Member States will apply their own rates of taxation to their share of the tax base of taxpayers. The introduction of a minimum tax rate should be considered, albeit low enough to leave sufficient margin for healthy tax competition between the Member States;

13. notes that the directive would be applied to businesses established in accordance with the legislation of a Member State which (i) take one of the forms listed in Annex I of the directive and (ii) are subject to one of the corporate taxes listed in Annex II of the directive or to a similar tax subsequently introduced ("resident companies" or "RCs"). The directive would also be
applied to businesses established in accordance with the legislation of a third country if (i) they take a form similar to one of those listed in Annex I (1) and (ii) they are subject to one of the corporate taxes listed in Annex II ("non-resident companies" or "NRCs");

14. wonders whether the CCCTB system should not also cover partnerships;

15. notes that RCs and NRCs will be subject to the rules provided for by the proposal only if they choose to apply them;

16. stresses that where a company operates under the system provided for by this directive it must cease, unless otherwise stated, to be subject to the national corporate tax arrangements in respect of all matters regulated by this directive;

17. is pleased to note that deductible expenses extend to costs of research and development and costs incurred in raising equity or debt for the purposes of the business; is opposed to the immediate deduction of costs related to durable economic assets;

18. proposes that recurrent costs relating to environmental protection and reducing greenhouse gases also be regarded as deductible expenses;

19. would like the Commission to consider the impact of the arrangement whereby tax losses can be carried over indefinitely and to explore possible anti-abuse measures;

20. stresses that the CCCTB system introduces distinct rules for calculating the corporate tax base and not accounting rules. The proposal has no implications for national rules on financial accounting;

21. considers that, if it is to achieve its goal of streamlining red tape, the application of a common consolidated tax base should be accompanied by the implementation of common accounting rules;

22. notes that the current distribution formula would lead to a fall in tax revenue in eleven Member States on the basis of a voluntary CCCTB. A voluntary CCCTB would also result in a fall in GDP and employment in 21 Member States;

III. DIFFERENT VIEWS

23. notes that legislation concerning direct taxation comes under Article 115 of the Treaty on the Functioning of the European Union (TFEU), which states that the Council shall act unanimously in accordance with a special legislative procedure and after consulting the European Parliament and the European Economic and Social Committee;

24. notes that some national parliamentary chambers have sent reasoned opinions to the presidents of the European Parliament, the Council and the Commission, expressing their concerns on compliance with the subsidiarity principle;

IV. IMPACT ON REGIONAL AND LOCAL AUTHORITIES

25. notes that the proposal is not geared towards local and regional taxes since it applies only to the "corporate taxes listed in Annex II". The annex includes the main direct national taxes of Member States;

26. believes, however, that the proposal is of major importance for local and regional authorities. A significant proportion of their income comes from (i) local or regional taxes levied on the national tax base or, more often, (ii) a share of national corporate taxes (2);

27. concludes that in the majority of Member States local and regional taxes will be directly affected by the establishment of a CCCTB system even if the proposal is not geared explicitly towards them. Even though the proposal does not make it mandatory, it seems clear that Member States offering the option of the CCCTB to their taxpayers will also use it to determine their local and regional taxes. Deciding otherwise would mean that tax bases would continue to be set at local and regional levels according to the old national rules, which would of course significantly reduce the benefits of the CCCTB system;

28. believes that priority should be given to this aspect of the proposal for a directive, especially as Annexes II and III may give rise to different interpretations. Annex III includes non-deductible taxes which are sometimes taxes of a purely local or regional nature. If tax bases are decided at national level, it would make sense to include local/regional taxes in the scope of application so that their tax base remains similar to the one decided at European level and then applied at national level. On the other hand, if a business opts for a single tax declaration at European level and the tax revenues are then redistributed, local and regional authorities must be able to recoup what they are entitled to;

29. believes that it is therefore important to define clearly the situations where the CCCTB affect the corporate taxation of local or regional authorities;

30. given that any change to corporation tax is likely to have an impact on local and regional authorities, finds it regrettable that there is no precise information concerning the effects of the directive on these;

(1) The Commission shall adopt annually a list of third country company forms which shall be regarded as having a similar form (Article 3 of the proposal).

(2) See study of Center for Strategy & Evaluation Services, "Local and Regional Corporate Taxes across the EU", Briefing Paper, July 2011.
V. CONCLUSIONS

31. is concerned to defend the interests of local and regional authorities and believes that there should be an in-depth analysis of the impact of the proposed CCCTB directive on the budgets of municipalities and regions before it comes into force;

32. is thus in favour of setting up an ad hoc working group comprising members of the CoR the Commission and local/regional tax administrations to carry out this analysis;

33. believes that all Member States should give more consideration to the impact of the proposed directive and forward their observations and comments, supported by professional and independent studies, to the Commission as soon as possible;

34. believes that greater fiscal harmonisation will only have an impact if the CCCTB is rolled out in all Member States;

35. wonders whether the optional system provided for in the directive might not lead to extra administrative work both for business and for tax administrations and therefore wonders if there should not be a transition period purely for those opting for the CCCTB. The Committee of the Regions also wonders whether, once the text has been reviewed, the CCCTB should not be made mandatory at the end of that transition period, at least for companies of a certain size;

36. calls for the introduction of the CCCTB to be accomplished in one step, as this is the only way to benefit fully from the simplification effects of harmonisation;

37. is in favour of reviewing the apportionment formula in order to take better account of the economic situation of different Member States;

38. wonders whether this is the right time to take such an important step in tax harmonisation given the financial problems currently causing upheaval in Europe as well as the negative impact on tax revenues and on employment, as highlighted by the Commission’s Impact Assessment and other studies;

39. believes that the proposal for a directive should place even greater emphasis on the rules of national jurisdictions as regards legal procedures;

40. takes note of the desire of European businesses to simplify their tax procedures, to offset their intragroup losses and to eliminate the double and excessive taxation of which they are the victims under the current system;

41. is concerned, however, by the directive’s repercussions, which, while varying depending on the country, would in the main be negative, in terms of both tax revenue and growth and jobs;

42. wonders whether the CCCTB system would, as a whole, simplify matters for businesses or, on the contrary, require fiscal planning and thus make matters more complicated. Given the optional nature of the system, businesses will also be obliged to study in detail the 27 current systems and regularly review their decision whether to opt into the system or not (3);

43. asks whether there are not less complicated alternatives, especially for small and medium-sized enterprises, to the CCCTB system as regards the cross-border compensation of losses. On this subject, refers to the Commission communication COM(2006) 824;

44. finally, wonders whether the measure is proportionate given the number of European company groups which would benefit from it;

45. believes in any case that the proposal for a directive is incomplete since it does not cover local and regional taxes. This risks shifting problems at national level to the local and regional level since, as things stand, the disparities in the system and the need to determine the taxable base would remain for local and regional taxes; is therefore in favour of an enabling clause in favour of local and regional taxes so that Member States can adopt the necessary measures;

46. without directly calling into question the principle underpinning the directive, believes that the proposal should be reviewed taking into account the need for (a) sufficient quantitative and qualitative indicators to allow a full assessment of the subsidiarity implications of a cross-border proposal of this nature; (b) more data on the full implications of the CCCTB; and (c) an analysis of the impact of the proposal on local and regional authorities.

(3) See: Leon Bettendorf Michael, P. Devereux, S. Loretz and Albert van der Horst, Corporate tax reform in the EU: Weighing the pros and cons, Vox, 20 March 2011.
VI. RECOMMENDATIONS FOR AMENDMENTS

Amendment 1
COM(2011) 121 final
Article 12
Deductible expenses

Expand as follows:

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deductible expenses shall include all costs of sales and expenses net of deductible value added tax incurred by the taxpayer with a view to obtaining or securing income, including costs of research and development and costs incurred in raising equity or debt for the purposes of the business.</td>
<td>Deductible expenses shall include all costs of sales and expenses net of deductible value added tax incurred by the taxpayer with a view to obtaining or securing income, including costs of research and development and costs incurred in raising equity or debt for the purposes of the business. Recurring costs relating to environmental protection and reducing greenhouse gases shall also be regarded as deductible expenses.</td>
</tr>
</tbody>
</table>

Reason
In order to deal effectively with destruction of the natural environment and climate change, it is recommended that corporate taxation should provide incentives for taxpayers to invest more in environmental protection.

Amendment 2
COM(2011) 121 final
Article 133
Review

Expand as follows:

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>CoR amendment</th>
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<tbody>
<tr>
<td>The Commission shall, five years after the entry into force of this Directive, review its application and report to the Council on the operation of this Directive. The report shall in particular include an analysis of the impact of the mechanism set up in Chapter XVI of this Directive on the distribution of the tax bases between the Member States.</td>
<td>The Commission shall, five years after the entry into force of this Directive, review its application and report to the Council on the operation of this Directive. The report shall in particular include an analysis of the impact of the mechanism set up in Chapter XVI of this Directive on the distribution of the tax bases between the Member States. Furthermore, this report must contain an analysis of the effects of the Directive on local and regional communities.</td>
</tr>
</tbody>
</table>

Reason
Since it cannot be ruled out that the directive will have a negative effect on regions and local communities, the Commission should also assess the impact on local and regional budgets five years after the directive enters into force.

Brussels, 14 December 2011.

The President
of the Committee of the Regions
Mercedes BRESSO
<table>
<thead>
<tr>
<th>Subscription Package</th>
<th>Language Coverage</th>
<th>Price (EUR per year)</th>
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<tr>
<td>EU Official Journal, L + C series, paper edition only</td>
<td>22 official EU languages</td>
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<tr>
<td>EU Official Journal, L + C series, paper + annual DVD</td>
<td>22 official EU languages</td>
<td>1 310</td>
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<tr>
<td>EU Official Journal, L series, paper edition only</td>
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<tr>
<td>EU Official Journal, L + C series, monthly DVD (cumulative)</td>
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<td>100</td>
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<tr>
<td>Supplement to the Official Journal (S series), tendering procedures for public contracts, DVD, one edition per week</td>
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</tr>
<tr>
<td>EU Official Journal, C series — recruitment competitions</td>
<td>Language(s) according to competition(s)</td>
<td>50</td>
</tr>
</tbody>
</table>

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