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II

(Preparatory Acts)

ECONOMIC AND SOCIAL COMMITTEE

Opinion of the Economic and Social Committee on the 'Proposal for a Decision of the European Parliament and of the Council concerning the rules for the participation of undertakings, research centres and universities and for the dissemination of research results for the implementation of the European Community framework programme 2002-2006'

(2002/C 94/01)

On 14 November 2001, the Council decided to consult the Economic and Social Committee, under Articles 167 and 172(2) of the Treaty establishing the European Community on the above-mentioned proposal.

The Section for the Single Market, Production and Consumption, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 4 February 2002. The rapporteur was Mr Malosse.

At its 388th Plenary Session of 20 and 21 February 2002 (meeting of 21 February), the Economic and Social Committee adopted the following opinion by 68 votes to 1, with one abstention.

1. Introduction

1.1. The rules for participation and dissemination ensure that the conditions for the implementation of the 6th European Community RTD framework programme⁽¹⁾ and its specific programmes are met. It is to be noted that, for the first time, this text is subject to the co-decision procedure between the Council and the European Parliament.

1.2. Notwithstanding the technical nature of the proposed decision, it does lead to a number of political choices, for example, about the participation of legal entities from third countries, priority criteria for project selection and access to knowledge produced by the research projects.

1.3. The European Economic and Social Committee should consider the question of administrative simplification, in accordance with the code of conduct it adopted⁽²⁾. A number

of research bodies have complained about excessive formalities in European research and the Committee has raised this issue on several occasions.

2. Innovations in the Commission's proposal

2.1. The intention behind the new rules is to reflect the new approaches in the 6th framework programme, in particular the inclusion of two new types of assistance: support for networks of excellence and integrated research projects. Direct grants will be allocated to their budgets.

2.2. Participants from Member States and associated candidate countries have exactly the same rights and obligations, as do the international organisations for scientific cooperation with a European focus, such as the European Space Agency (ESA) or the European Organisation for Nuclear Research (CERN).

⁽¹⁾ EESC opinion, OJ C 260, 17.9.2001.

⁽²⁾ EESC opinion, OJ C 14, 16.1.2001.

2.3. The applicant countries are, of course, eligible with equal rights. For the first time, organisations from other third countries are fully entitled to participate in actions carried out under the bulk of the framework programme. Organisations in third countries eligible to take part in specific international cooperation actions under the framework programme (Russia and the States of the CIS, third countries of the Mediterranean, developing countries, the ACP countries and Latin American and Asian countries) will in addition be fully entitled to receive funding.

2.4. Consortia responsible for networks and integrated projects are given the opportunity to change the partnership, including through competitive calls under the supervision of the European Commission. This measure could be beneficial to SMEs whose participation in the framework programme has been set at 15 % minimum.

2.5. There is to be greater flexibility with an individual work programme for each specific programme, which can be modified at any moment, and calls for tender with dates varying according to needs.

2.6. Financial rules are to be relaxed to allow for payment of advances. However, at the same time, ex-post controls will be stepped up and it will become compulsory to have accounts certified by an independent auditor, for which the costs may be fully covered by the European Union. Independent experts will be appointed to monitor the networks of excellence, integrated projects and, if necessary, some traditional actions.

2.7. The rules for dissemination of information among participants in a consortium have been made more flexible, for example by giving participants the option to exclude some of their pre-existing know-how from the requirement to grant access to other participants, or to limit access rights to knowledge arising from the work to particular participants.

2.8. Bodies submitting proposals for indirect actions are no longer obliged to prove, when they sign a contract, that they have sufficient resources to carry out the action. This used to mean the requirement to provide a bank guarantee, which was either impossible or very costly for small businesses, particularly start-ups. In exchange, the Commission has made the members of a consortium jointly and severally liable. This means that the Commission formally reserves the right to take action against the most solvent partners in case of default. Exceptions will be allowed for public bodies and each consortium will be able to draw up internal rules whereby participants can only be held responsible for that part of the Community budget allocated to them.

3. Comments

3.1. The participation rules focus on increased simplification, greater transparency and more consistency with the EU's strategic objectives. The aim is to enhance the profile and effectiveness of European action and make sure that the programme meets the aspirations of the public.

3.2. Simplification

3.2.1. The Committee welcomes the proposals inasmuch as they will provide greater flexibility, more transparency and equal access. In particular, it approves the lifting of the requirement to provide a bank guarantee, which could be costly and difficult to secure. It also approves the system of advance payments as this is a welcome replacement for the reimbursement of expenses, which used to create cash-flow problems. These two innovations should be beneficial to SMEs, who should be considered the priority target of the 6th RTD framework programme, given their crucial role in developing European competitiveness and employment.

3.2.2. However, no specific arrangement has been put forward to simplify formalities for the submission of dossiers, in particular decentralisation proposals that the EESC formulated for the Fifth Framework Programme. This is fundamental, and the Committee therefore calls on the Commission to present an action plan to simplify procedures, using the SLIM method. The Committee also regrets that the Commission has not taken up its other proposals to simplify procedures and facilitate the participation of SMEs, for instance by decentralising pre-selection systems and granting overall subsidies to intermediaries. Such an arrangement would help to compensate for the uncertainty about tender publication dates and also provide an assistance service for project presentation.

3.2.3. The Committee welcomes the fact that the Commission has taken on board its suggestion to make business associations, such as chambers of commerce, trade organisations and technical centres, as well as other civil society organisations, eligible as entities. It would suggest that these associations be allowed to participate in projects as follow-up coordinators, in particular to ensure that projects are disseminated and exploited. They should be encouraged to participate in projects involving SMEs.

3.2.4. The Committee suggests that trans-national cooperation projects by business groupings also be made eligible, the objective being to set up a permanent framework for technological cooperation between companies. Such actions could be undertaken, both within the EU and with partner countries, in particular in the European Economic Area, Central and Eastern Europe, non-EU Mediterranean countries, and Latin America.

3.2.5. The joint liability of participants could discourage large groups from associating with small entities, on the grounds that they are more likely to default. To lessen this risk, the Committee suggests the idea of an insurance scheme which would be fully covered by the EU budget and would thus allow the Union to defend its financial interests well. The Committee believes that introducing the principle of joint liability would be detrimental unless such a scheme was set up.

3.2.5.1. There are concerns, however, that such an insurance scheme, financed by the Community budget, would drastically reduce the financial resources directly available for research and development. Therefore, initial experience on the possibilities and costs of such an insurance scheme should be gained in a pilot phase.

3.2.5.2. In addition it must be guaranteed that public institutions or state-supported bodies, which are not permitted to assume a joint and several liability, are thereby not excluded from participation nor disadvantaged in any way.

3.2.6. The Committee recommends leaving the choice of instruments open to operators. The various operating modes would thus be offered as a 'toolbox' from which it would be possible to choose individual instruments depending on needs and to develop them as and when experience is acquired.

3.2.7. The Committee approves the use of advance payments and hopes that priority in awarding them will be given to small research bodies and SMEs and that they will be awarded before an operation begins. The Committee approves the use of external auditors provided that they are chosen by the project promoter, that the European Commission only has to check that they are independent and that their costs are fully covered by the Community budget, as long as there is not an overall increase in administrative expenditure.

3.2.8. The Committee appreciates the principle of drawing up a list of non-eligible expenditure (negative list) instead of a list of eligible expenditure (positive list). This system would be

attractive as it should lead to simplification. However, it must not open the way for the European Commission to dispute expenditure commitments systematically. A pilot phase seems necessary before definitively introducing this principle.

3.2.9. Finally, the Committee stresses the need to provide operators with information tools and aid to set up and manage projects, in particular a model contract for each intervention instrument and a guide including recommendations for each stage of a project's progress.

3.3. *Transparency*

3.3.1. The way in which networks of excellence are to be selected and defined remains very unclear. The proposed decision does not give answers to several questions, in particular as to project assessment criteria and the arrangements for disseminating results. The Committee would like the Commission to clarify its intentions.

3.3.2. The requirement for networks of excellence to have three independent legal entities established in three different Member States or Associated States (of which at least two must be EU Member States), should not end up as a scramble to find partners of convenience nor, in certain justified cases, exclude more modest partnerships.

3.3.3. Some definitions (Article 2) could be clarified. For instance, the definition of SMEs should take account of the European Commission's new proposals, in order to give a stricter definition of the independence criterion and avoid the abuses that have arisen in the research field. Other definitions, particularly for budgetary matters, should also be clarified.

3.3.4. The Committee welcomes the clauses moderating the rules on property, which enable participants to exclude their pre-existing know-how from dissemination and will help them to exploit the innovative process. However, some measures which might leave some results out of the usual rules on dissemination among consortium participants, could prove prejudicial to SMEs or other small-scale research entities. A complementary measure should be envisaged to help these entities by advising them on best possible practice for applying internal rules to a consortium.

3.3.5. The Committee approves the opportunity given to consortia to arrange their own competitive calls for some work or to extend activities, provided that they act within the framework defined by the Commission in order to ensure transparency, equal treatment and consistency with the programme's objectives. The Committee stresses the importance of finding flexible ways of doing this, so that groups of small and medium-sized enterprises can participate.

3.3.5.1. In order to ensure this transparency, the Committee suggests publishing calls for tender on CORDIS, as well as involving the Commission or experts duly appointed by the Commission at all stages of these competitive tenders, from ideas through to contracts.

3.4. Consistency with EU objectives

3.4.1. Without wishing to question the principle of sufficiently broad access to the programmes for third countries associated with the EU, the Committee feels that the clause that makes provision for 'Any legal entity established in a third country [to] participate in the 6th Programme' is a little extreme. It would seem wise, in order to promote the EU's true interests, to fine-tune this provision by drawing a distinction between, on the one hand, the countries of the European Economic Area and the associated applicant countries, as fully fledged participants, and, on the other hand, non-EU countries eligible for specific international cooperation actions in the framework programme (Russia and the CIS, non-EU Mediterranean countries and developing ACP, Latin American and Asian countries). The Committee also recognises the economic and scientific value of cooperation with developed countries. However, in accordance with its opinion of 11 July 2001 ⁽¹⁾,

⁽¹⁾ EESC opinion in OJ C 260, 17.9.2001.

the Committee urges that the principle of reciprocity be properly applied and calls on the Commission to present a report on our partners' implementation of this principle.

3.4.2. Article 20 of the decision concerning the rules for participation in the 5th RTD framework programme ⁽²⁾ required the compulsory presentation of a Technological Implementation Plan. The Committee approved this measure as it was intended to ensure that the project does in fact have an industrial impact and it also included conditions about disseminating and exploiting knowledge. The Committee wonders why this measure has been replaced by a promotion and dissemination programme only to be presented when a project is launched. Such a step seems to run counter to the conclusions of the Lisbon European Summit in March 2000 which aimed to make the EU the most competitive knowledge-based economy in the world by 2010.

3.4.3. If the objectives set out at the Lisbon European Summit are to be achieved, it is essential that (a) as many people as possible receive an appropriate basic education in science and technology and (b) a balance should be struck and fruitful interaction assured between longer-term basic research, on the one hand, and product-orientated development, on the other hand. This duality must also be reflected in the participation rules and the corresponding project assessment criteria.

3.4.4. Bearing in mind the observations made in point 3.4.3 above, the Committee hopes that major EU priorities, such as employment, the creation of new activity, entrepreneurship and competitiveness will also be taken into account as overall criteria for project assessment.

⁽²⁾ EESC opinion on the evaluation of the 5th RTD framework programme, OJ C 367, 20.12.2000.

Brussels, 21 February 2002.

*The President
of the Economic and Social Committee*

Göke FRERICHS

Opinion of the Economic and Social Committee on the 'Proposal for a Directive of the European Parliament and of the Council amending Council Directive 86/609/EEC on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes'

(2002/C 94/02)

On 25 January 2002 the Council decided to consult the Economic and Social Committee, under Article 95 of the EC Treaty, on the above-mentioned proposal.

The Section for Agriculture, Rural Development and the Environment, which was responsible for the Committee's work on the subject, adopted its opinion on 29 January 2002. The rapporteur was Mr Jaschick.

At its 388th Plenary Session of 20 and 21 February 2002 (meeting of 20 February), the Economic and Social Committee adopted the following opinion by 116 votes with one abstention.

1. Introduction

1.1. In 1998 the EU became a party to Council of Europe Convention ETS 123 for the protection of vertebrate animals used for experimental and other scientific purposes.

1.2. Council Directive 86/609/EEC⁽¹⁾, together with its annexes, is the implementing tool for Convention ETS 123. The annexes to the Directive need to be adapted on an ongoing basis to bring them into line with the latest scientific knowledge and state-of-the-art technology.

1.3. With a view to securing improvements as rapidly as possible in the physiological and ethological situation of animals, the Council of Europe has put forward a 'Protocol of Amendment' (ETS 170) to Convention ETS 123, setting out a simplified procedure for adapting the appendices to the Convention more quickly. The Commission thinks that the EU will scarcely be able to comply with its obligations under the Convention unless use is made of the 'Regulatory Committee Procedure' as it is proposing.

2. General comments

2.1. The ESC endorses the Commission's proposal, subject to the comments set out below. By providing for a simplified procedure, the Commission's proposal is conducive to securing improved protection for animals within a relatively short period (Phase 1 of the European Commission's strategic plan regarding this topic).

2.2. The proposed Regulatory Committee Procedure fully conforms with the EU's Treaty obligation to take full account of the need to protect animals.

2.3. The ESC, nonetheless, calls for in-depth revision of Council Directive 86/609/EEC (Phase 2 of the European Commission's strategic plan).

2.3.1. This exercise should also introduce a reference to certain basic welfare elements: the three Rs⁽²⁾ and the five freedoms⁽³⁾, as provided by the ETS 87 on the Protection of animals kept for farming purposes.

2.3.2. The ESC notes that three Member States (Belgium, France and the Netherlands) have still not transposed this Directive into their national legislation even 15 years after its adoption. The ESC is aware that currently three cases are pending before the European Court of Justice involving Belgium, France and the Netherlands. In an earlier opinion⁽⁴⁾ the ESC stipulated clearly that 'the method of enforcement of this Directive will be essential to achieving its aims'.

2.3.2.1. The Committee deplores this situation, especially since the inadequate implementation in some Member States runs counter to the goal of protecting animals.

2.3.2.2. The Committee would encourage the Commission to continue to take all appropriate steps to bring about full implementation of the Directive at long last.

2.3.2.3. The ESC draws attention to the fact that, at the present time, only seven signatories (out of 43) have ratified this Protocol though without putting it into force; five of those seven are EU Member States (Finland, France, the Netherlands, Sweden and the UK). In general, this Protocol is still not in force at the Council of Europe. In addition, the basic text, i.e. ETS 123, has not yet been ratified by five EU Member States (Austria, Ireland, Italy, Luxembourg and Portugal).

2.3.2.4. The ESC urges the Commission to get more EU Member States to ratify Convention ETS 123 and the Protocol of Amendment.

⁽²⁾ Replacement, reducing and refinement.

⁽³⁾ Freedom from hunger, thirst, stress, pain, injury and illness and freedom to express physiological behaviour, in order to prevent the occurrence of phenomena such as cannibalism.

⁽⁴⁾ OJ C 207, 18.8.1986, p. 3.

⁽¹⁾ OJ C 207, 18.8.1986, p. 3.

3. Specific comments

3.1. The ESC approves the Commission's proposal (see point 2.1 above), even though the Regulatory Committee Procedure for amending the Annexes to the Directive in question would result in the ESC's exclusion from the consultation procedure (the EP would still be consulted under the 'right of inspection'). In the past the ESC already stipulated that 'the Annexes to the proposed Directive are of great significance. It must be clear as to whether any additional consultation procedure is envisaged. Small changes in the Annexes could be of major significance to science and industry' ⁽¹⁾ ⁽²⁾.

3.2. The ESC's endorsement is therefore conditional upon the European Commission taking account of the following points when revising the Directive (Phase 2):

- the need to involve in its preparatory work all stakeholders ⁽³⁾ and in particular NGOs and animal welfare associations;
- the need to review Directive 86/609/EEC forthwith;
- the need to involve the competent Scientific Committee of the European Commission (the Scientific Committee on Animal Health and Animal Welfare — SCAHAW).

3.2.1. The ESC expresses such willingness, taking into account that the European Community, being party to the ETS 123, would be obliged to fulfil certain commitments; still, it recalls that international conventions such as the one in question (type of 'mixed' agreements) do not necessarily involve legally binding provisions.

3.3. Furthermore, Directive 86/609/EC has now been in existence for 15 years and no longer reflects the latest scientific knowledge, a view which is also shared by the Commission; inter alia, the definitions must be revised.

⁽¹⁾ OJ C 207, 18.8.1986, p. 3.

⁽²⁾ Endeavours should be made to find possible ways of enabling the ESC to be involved, in a particularly appropriate form, in the channel of information.

⁽³⁾ Including the ESC.

3.4. The scope of Convention ETS 123 has also been extended and it now also covers animals used for education and training purposes.

3.5. And finally, the Commission should improve the checking and welfare of particular species, such as non-human primates ⁽⁴⁾.

3.6. The European Community should withdraw its reservation contained in the instrument of approval deposited on 30 April 1998 regarding its refusal to be bound by the obligations to communicate statistical data, as laid down in Article 28 of the ETS 123. This reservation is the reason for the lack of appropriate and homogeneous results, as shown by the Second report from the Commission to the Council and the European Parliament on the statistics on the number of animals used for experimental and other scientific purposes in the Member States and in the European Union. The European Community should invite France, Germany and Portugal to follow in doing the same.

3.6.1. In parallel, the European Commission should urge Member States to comply fully and more effectively with the provisions of Articles 13 and 26 of Directive 86/609/EEC by, for example, pressing them to draw up annual reports.

3.7. The Committee acknowledges the high reputation, both throughout Europe and worldwide, of the European Centre for the Validation of Alternative Methods (ECVAM); its contribution to this matter in validating alternative testing procedures, in particular in vitro procedures, is of major importance.

4. Field of application

4.1. The Committee expressly welcomes the inclusion of the EEA in the field of application of the Directive and thinks that Switzerland should also be included, as soon as the opportunity presents itself.

4.2. The Committee assumes that the Commission will encourage the candidate states to create the requisite conditions to enable them to adopt these provisions as rapidly as possible.

⁽⁴⁾ In this context one should also examine the situation in their countries of origin of species used for experimental purposes, particularly in the case of non-human primates and endangered species.

Brussels, 20 February 2002.

The President
of the Economic and Social Committee
Göke FRERICHS

Opinion of the Economic and Social Committee on the 'Proposal for a Council Regulation extending the financing of quality and marketing improvement plans for certain nuts and locust beans approved under Title IIa of Regulation (EEC) No 1035/72 and providing for a specific aid for hazelnuts'

(2002/C 94/03)

On 6 December 2001 the Council decided to consult the Economic and Social Committee, under Article 37 of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 29 January 2002. The rapporteur was Mr de las Heras Cabañas.

At its 388th Plenary Session of 20 and 21 February 2002 (meeting of 20 February), the Economic and Social Committee adopted the following opinion by 121 votes to 1, with 2 abstentions.

1. Introduction

1.1. The proposal for a regulation is presented by the Commission pursuant to the mandate of the Council of Ministers of 23 July 2001, which called on the Commission to provide a solution for organisations of producers of nuts (almonds, hazelnuts, walnuts and pistachios) and locust beans whose quality and marketing improvement plans expired in 2001 and would not be covered by the budget for 2002. The Commission proposes to extend for a period of one year aid to nut and locust bean producers whose areas were included in the improvement plans which expired in 2001.

1.2. The Commission also proposes to grant a specific aid for hazelnuts for one marketing year to certain producer organisations because of the difficult market conditions in the sector in the current marketing year caused by low-priced hazelnut imports from Turkey.

1.3. The above measures are presented against the background of the ongoing discussions in the Council, European Parliament and Economic and Social Committee on a long-term support framework for the sector. The Commission has begun an in-depth study of the matter, focusing on the economic, social and environmental aspects. The Council has asked the Commission to present the conclusions of this study and any appropriate proposals in as short a timeframe as possible.

2. General comments

2.1. The Committee would draw attention to the fact that previous opinions⁽¹⁾ have stressed the economic, social and environmental importance of the nut and locust bean sector in the EU and the particularly difficult market conditions created by competition from third countries.

2.2. It also stressed the need for stable support measures under the CAP in order to ensure the survival of the sector, in economic terms and also for non-economic reasons, including its role in keeping communities on the land, economic activity, employment and environmental protection in some of the less-favoured regions of the EU. It also highlighted the dangers of excessive reliance on imports and the possible consequences of this for prices, and hence consumers.

2.3. It remarked on the positive impact of the implementation of improvement plans in some Member States in terms of improvements in production, better organisation of the sector and higher quality and food safety standards, although the sector has unfortunately been unable to make its products as competitive as those from third countries.

2.4. The Committee warmly welcomes the proposed extension of the improvement plans as a temporary solution to the difficult situation in which those producer organisations whose plans expired in 2001 now find themselves. However, it is concerned at the delay in presenting proposals for a permanent solution for the sector.

2.5. The Committee believes that there is now clear evidence of a need to provide a lasting guarantee for the future of the sector, and calls on the Commission to present to the Council a proposal to resolve the uncertain situation of producers, producer organisations and the nut processing industry without further delay.

2.6. The Committee believes that the Council Regulation should include a commitment by the Commission to present a solution no later than 1 June 2002, in order to ensure continuity between these measures and future measures.

⁽¹⁾ Extension of improvement plans for nuts and locust beans — OJ C 116, 20.4.2001, and Commission report on the COM in fruit and vegetables — OJ C 221, 7.8.2001.

3. Specific comments

3.1. The Committee does not agree that the extended measures in their current form are based on the principle of degressive aid and a gradual shift of financial responsibility towards producers, since the aid has remained constant. Such an approach is unacceptable with a view to future long-term support measures for the nut and locust bean sector.

3.2. The Committee finds no justification for accepting the proposed reduction in the level of Community co-funding from 82 % to 75 %, which would represent a step towards renationalisation of the CAP, and hence an added difficulty for the future of the sector in the various producer Member States. It wishes to draw attention to the small financial impact of support measures for this sector, which represent a tiny proportion of expenditure under the EAGGF (Guarantee Section) and account for 0.2 % of its budget under the CAP. The Committee has called on various occasions for adequate funding for the COM in fruit and vegetables, commensurate with its needs and importance, in the framework of the financial perspective set out in Agenda 2000 ⁽¹⁾.

3.3. The Committee calls for the Commission proposal to provide for funding for all measures carried out under the improvement plans of producer organisations which expired in 2001 and that all aid applications in respect of all work carried out up to 31 December 2002 should be eligible (i.e. the deadline proposed by the Commission should be extended).

3.4. The Commission proposes that aid be restricted to those areas that received aid during the final year of the improvement plan, which creates problems for the management of improvement plans by producer organisations. Taking account of the implementing procedures for the rules currently in force, the Committee believes that all areas included in the plan should be eligible for aid, provided that the overall total area registered for the final year of each plan is not exceeded. Such a modification would have no financial implications.

⁽¹⁾ OJ C 14, 16.1.2001 (amendment of Regulations 2200, 2201 and 2202) and OJ C 221, 7.8.2001 (Commission report on the COM in fruit and vegetables).

3.5. The Committee supports the introduction of the specific aid for the hazelnut sector, which is intended to relieve the current market crisis, but considers that the proposal in its current form would alter conditions of access to the market for the different producer organisations within the EU and distort competition.

3.6. Likewise, the Committee feels that the unfavourable market conditions in the hazelnut sector affect all producer organisations equally, and that this proposal discriminates between the different organisations, since only producer organisations whose improvement plans have not been extended can benefit from this measure.

3.7. Given its low cost, the Committee feels that this measure should be extended to cover all hazelnut producer organisations, regardless of whether or not their plans have been extended.

4. Final comments

4.1. Subject to the above remarks the Committee accepts as a temporary solution the extension of current support measures for nuts and locust beans, and urges the Commission to present definitive proposals by 1 June 2002, on the basis of a flat rate per hectare of land, with appropriate funding to ensure that producers' income levels are protected and their farms remain viable.

4.2. The Committee wishes to reiterate all proposals contained in its previous opinion, which set out the basic elements necessary to reach a permanent solution for the sector ⁽²⁾.

4.3. The Committee supports the creation of a specific flat-rate aid for hazelnuts produced in the Community in the 2001/2002 marketing year, provided that this does not result in discrimination between the different producer organisations in the EU.

⁽²⁾ OJ C 116, 20.4.2001.

Brussels, 20 February 2002.

*The President
of the Economic and Social Committee*

Göke FRERICHS

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

(2002/C 94/04)

On 25 September 2001 the European Commission decided to consult the Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the above-mentioned communication.

The Section for Transport, Energy, Infrastructure and the Information Society, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 31 January 2002. The rapporteur was Mr Cabra de Luna.

At its 388th plenary session of 20 and 21 February 2002 (meeting of 20 February) the Committee adopted the following opinion by 117 votes with one abstention.

1. Introduction

1.1. Access to information and telecommunication continues to be a challenge for 37 million people with disabilities in the European Union but also for people with special needs.

1.2. Lack of accessibility is one of the main features of the so-called digital divide, which has been met in several EU documents, in particular the eInclusion report⁽¹⁾. Already in the document on Towards a Barrier-free Europe for persons with disabilities⁽²⁾ the issue of barriers to access to information technology was raised by the Commission.

1.3. The EC Commission document on accessibility of Public Web sites and their content will provide a first step towards following up previous declarations with concrete measures. On one hand there is a greater awareness towards disabled people's problems as shown by for instance the European Barometer⁽³⁾, on the other hand solutions for disabled people will be of benefit also for other groups.

1.4. The Committee believes that for disabled people access to information is a fundamental human right in the absence of which they cannot enjoy any social and political rights; therefore a global and coherent strategy is required to ensure an actual developmental and inclusive policy towards people with special needs. This initiative will make the access to information much easier, recognizing the fact that lack of information causes a high degree of exclusion.

1.5. The Communication is a good example of how the Trans-Atlantic dialogue has benefited disabled people concern-

ing practical measures to ensure non-discrimination. It is a real practical tool for putting into practice the principle of equal access to information for all.

2. Summary of the Commission Communication

2.1. The eEurope Action Plan 2002, adopted by the Feira European Council in June 2000⁽⁴⁾ aims at speeding up and extending the use of the Internet to all sectors of European society, allowing European citizens to participate in and benefit from the possibilities offered by digital technologies. One of the specific targets of the action plan is to improve access to the Web for people with disabilities: this is the main subject of the Communication and its recommendations.

Accessing Internet Web pages and their content presents a variety of problems for many of the 37 million European citizens with a disability. In particular with the development of governmental on-line services, there is a serious risk of social exclusion of a large percentage of the population.

2.2. The European approach to ensuring the availability of accessible information on public Web sites is incorporated in the eEurope Action Plan 2002 agreed by the Feira Council in June 2000. Under its Objective 2c, the action plan includes five targets for promoting 'Participation for all in the knowledge-based society', the action plan emphasises that, '... Public sector Web sites and their content in Member States and in the European institutions must be designed to be accessible to ensure that citizens with disabilities can access information and take full advantage of the potential for e-government', through the adoption of the Web Accessibility Initiative (WAI) Guidelines for public Web sites by the end of 2001.

⁽¹⁾ SEC(2001) 1428.

⁽²⁾ COM(2000) 284 fin, 12.5.2000.

⁽³⁾ Eurobarometer No 55, 2.6.2001.

⁽⁴⁾ Council and Commission of EU 'e-Europe 2002 an Information Society for All: Action Plan' of 14 June 2000.

2.3. This initiative is one of the five domains of the World Wide Web Consortium (also known as the W3C), which is made up of over 500 member organisations and includes participants from over 30 countries. The Web Accessibility Initiative (WAI) has developed a number of guidelines, with the participation of industry, research, governments, and disability organisations.

Web accessibility guidelines have been developed with the financial support of the European Commission in the Fourth Framework Programme 'Telematics Applications Programme (TAP)', various governments, and other organisations. These guidelines are more precisely known as the World Wide Web Consortium/Web Accessibility Initiative (W3C/WAI) Web Content Accessibility Guidelines version 1.0 (WCAG 1.0) (or WAI/W3C WCAG 1.0). In the Communication they are referred to as the Guidelines. They are recognised as a de facto global standard for the design of accessible Web sites. However, the evolution of technology and tools will determine the implementation of new versions and of guidelines for other domains.

2.4. The guidelines are based on a consensus developed among a broad range of sector actors and they provide a voluntary mechanism for public information providers to conform to a set of informal rules which take the form of principles, tools and methods. Information managers, Web designers and developers should therefore be able to make public Web sites accessible. The Guidelines should represent a dynamic and evolving set of rules which seek to keep pace with and anticipate the latest technological developments.

2.5. The eEurope Action Plan 2002 proposes adoption of the Guidelines as an initial step towards making European public Web sites and their content accessible to people with disabilities. The adoption of the Guidelines should also show the commitment from the Member States and the European institutions to the goal of integrating Web accessibility within their policies for public information services and standards, including eGovernment.

2.6. In connection with the implementation of the eEurope Action Plan 2002 in the area of 'Participation for all in the knowledge-based society', the High Level Group on Employment and the Social Dimension of the Information Society (ESDIS), which is composed of representatives from all the Member States, was mandated to monitor these developments. An eAccessibility expert group was set up to support the work of the High Level Group.

The European Disability Forum, which is the voice of the organised disability movement in Europe, has been invited to participate in the activities of this expert group with observer status.

The eAccessibility expert group has provided a review of progress of the adoption and implementation of the Guidelines by Member States. It has also organised a monitoring exercise among the 15 Member States, identifying examples of good practice.

2.7. In connection with the planned upgrading of the Commission's Internet-based services, it is envisaged that the so-called EUROPA II will be implemented in the period 2001-2004.

Within this context, the accessibility of the Web sites of the European institutions is currently under revision, so as to respect the target of adoption of the Guidelines by the end of the year 2001.

Complementing and supporting European policy developments, research and technology development work has taken place over the past ten years that has addressed the needs and requirements of disabled people.

One of the projects which was given financial support by the European Commission in the 1994-1998 Telematics Applications Research and Development Programme (TAP) was the Web Accessibility Initiative (WAI) project, which contributed to the work of producing the Guidelines and other specifications and tools for the promotion of access to the Web.

Within the Fifth FP Information Society Technologies programme the European Commission gives financial support to the project entitled Web Accessibility Initiative-Design for All (WAI-DA). More and more research and technological development projects within this programme are using the Guidelines developed by the Web Accessibility Initiative.

2.8. Finally, the Commission outlines some developments outside the European Union. Web accessibility is an integral part of public information policies, for example, in Australia, Canada, and the United States. In some countries, legislation provides an important framework for achieving the accessibility of Web sites. In particular, Federal Web sites in the United States are required to be accessible by law since the amendment of section 508 of the Rehabilitation Act in August 1998 which became effective in June 2001. This legislation also has important considerations for the public procurement of information technologies that are accessible to persons with a disability.

The European ministerial conference held in Warsaw in May 2000 underlined the importance of complementing European Union political commitments by creating an eEurope-like action plan (eEurope+) by and for the candidate countries

seeking membership of the European Union. eEurope+ addresses the issue of web accessibility and recommends the adoption of the WAI guidelines ⁽¹⁾.

2.9. The Communication aims at being an example of the concerted effort which is required to remove access barriers — social, environmental, cultural, technical and others — that hinder the full participation of persons with disabilities, to secure inclusive society with equality of opportunities for all in Europe and to ensure that future technologies and information systems do not create new additional difficulties for people with disabilities.

The Communication then presents a set of observations which can be drawn from the experiences to date of adopting the guidelines in the Member States and the European Institutions.

The most important are the following:

- The Member States and the European Institutions have agreed to exchange information and to benchmark their progress to be based on mutually agreed criteria in the areas of adoption and implementation of the Guidelines. The resulting accessibility of public Web sites should be monitored and best practices identified. The Commission will compile and disseminate the results of this action.
- National administrations should seek constantly to improve the accessibility of their Web pages and explore new and better ways to deliver Web content and services as new technologies and new versions of the Guidelines are developed.
- Member States should take appropriate measures so that not only national, but also local and regional public websites comply with the Guidelines.
- The Commission will propose to the other European institutions the establishment of an inter-institutional group to promote and ensure the adoption, implementation, and regular updating of the Guidelines within the European institutions.
- Measures for awareness-raising, dissemination, education, and especially training in Web accessibility should be promoted in both the European institutions and the Member States.

- Organisations receiving public funding from the European institutions or the Member States should be encouraged to make their Web sites accessible.
- There should be a major initiative devoted to achieving overall accessibility of both public and private Web sites during the year 2003, the European Year of Disabled People.
- The Member States and European institutions should develop an ongoing dialogue with persons with disabilities and their representatives in order to ensure regular and consistent feedback on these issues.

3. General comments

3.1. The Committee welcomes this proposal for a European policy towards making public Web sites and their contents in the European Union accessible for disabled people. It is appropriate that this initiative is taken at a time when more and more information is made available electronically and the risks of social exclusion are significantly higher for those excluded from accessing such information.

3.2. The initiative should secure in the Member States and on EU level the full access for everyone to public information and thus the right of all to act as full citizens in society. The Committee underlines the importance of referring to the rights of non-discrimination and of integration of persons with disabilities as laid down in Articles 21 and 26 of the Charter of Fundamental Rights of the European Union. Access to the Internet should not imply extra costs for users with disabilities. States should allocate appropriate funding for user awareness training as well as for the purchase of adaptive and assistive technical devices whenever they are required.

3.3. The Committee considers that it is urgent to face the challenges to public information that technical and financial barriers set against the full involvement of disabled users. The EU has emphasised the importance of creating favourable conditions for all European citizens' active and democratic participation in the decision-making processes, in the conclusions of both the Lisbon and the Stockholm summaries, and through the eEurope initiative. For the Committee it is vital that such strategies also encompass persons with disabilities.

3.4. Active participation in community life will also offer persons with disabilities a better possibility to apply for jobs in the public administration and benefit from employment services. Access to public Web sites will also increase the

⁽¹⁾ eEurope+2003: Action Plan prepared by Candidates countries with the assistance of the European Commission, June 2001, p. 18.

information on political development and increase participation of disabled people in politics and as a consequence their involvement in the democratic process of our society.

3.5. The eEurope+ initiative is likewise important because the issues of access to public information and rights to participation for disabled people in the Accession Countries will also be focused upon.

3.6. Although being a voluntary instrument the implementation of the proposals will introduce a standardisation on access that will give disabled people the possibility to make better use of assistive technology. It will also enable the use of easy-to-use instruments for accessibility, through a European-wide accessibility system following the same criteria all over the Union.

3.7. One of the main challenges of the implementation of the WAI guidelines would be to reach out to all citizens including disabled and elderly people and to involve not only national governments, but also regional and local administrations that are closer to the citizen's priority needs. The implementation of the Guidelines and a methodical benchmarking and monitoring system could also entail a desirable simplification of norms and procedures that would make the access to internet based information easier for all.

3.8. The Committee also hopes that a major initiative as proposed in connection with the European Year of Disabled People in 2003 will contribute to make not only public but also private Web sites accessible for disabled people.

3.9. The Committee welcomes the involvement of the European Disability Forum, to ensure a two-way interactive dialogue between the European institutions and the organisations of and for disabled people in Europe as well as with individual experts with disabilities.

3.10. The Committee points out that accessibility is paramount also for elderly persons, especially for those who have been marginalized as a consequence of the technological development.

3.11. Active use of research programmes of the European Union should be made to increase accessibility of Web sites for disabled and elderly people. The Committee refers to other relevant initiatives of the European Union, in particular the reference to e-inclusion in the Proposal for the 6th Framework Programme for Research and Development 2002-2006⁽¹⁾. The programme states that research activities on 'e-inclusion' will concentrate on systems enabling access for all, on barrier-

free technologies for full participation in the information society and on assistive systems that will restore functions or compensate for disabilities thereby ensuring a higher quality of life for citizens with special needs and their carers. The Committee stresses the need to incorporate the WAI guidelines in the IDA programme for data interchange and interoperability through electronic infrastructures⁽²⁾, especially in view of the greater importance which recently is being attached to the end users, particularly disabled and elderly people.

The Committee would furthermore propose a specific programme for joint training activities of developers of Web sites and representatives of disabled users. Better co-ordination between EU programmes, for instance on web security, must be ensured to mainstream the interests of disabled people.

4. Specific comments

4.1. The Committee deems appropriate that the issues dealt with in the Communication should be the subject of mandatory legislation; nevertheless, it meanwhile recognizes the present approach based on voluntary commitment of the public administrations at the various levels and expects the Member States to carry into effect without delay all measures provided for in the Communication and to establish a methodical monitoring system of their implementation. States should also set up a systematic benchmarking procedure for the Lisbon strategy.

4.2. The Committee will emphasise the importance of disseminating and encouraging the use of the WAI guidelines also among other organisations, like trade unions and employer organisations.

4.3. The Committee commits itself to make its own Web site accessible and user friendly as to ensure a better access to information and to public debate for all citizens with special needs. This initiative should be implemented before 2003, the European Year of Disabled People, complying with the WAI Guidelines as set forth in the Communication and, if necessary, with the support of the European Commission. This should constitute an example of good practice of the accessibility principles.

⁽¹⁾ COM(2001) 279 final.

⁽²⁾ CES 25/2002, 16.1.2002.

4.4. The Committee will point out that the increasingly important field of eCommerce and disabled people should be covered by the Communication. Disabled consumers' interests are affected by the growing importance of eCommerce through inaccessible commercial Web pages, questions of protection of personal data, integrity etc.

4.5. The Committee urges the Commission as well as the other EU institutions to make their own public Web pages accessible through adaptation of the WAI guidelines.

4.6. The communication will be a strong encouragement to public authorities to extend their accessibility initiatives to other areas than public Web sites. This is not only limited to national, but also regional and local authorities. It does also concern the introduction of Design for All principle in general didactic programmes for education on ICT, etc.

4.7. Using the principle of Web accessibility at European level, the European citizens with disabilities can feel a stronger sense of ownership to the idea of European integration, which has hitherto been inaccessible for many, due to barriers against assessing such information on EU Web sites.

4.8. Non-accessible public Web sites do indeed discriminate against people unable to use them and thus assess the information therein. The Committee recommends that in connection with the forthcoming European Year of Disabled People 2003 a clause against this specific kind of discrimi-

nation should be included in the proposed disability specific directive. The Committee has already recommended that such a directive be adopted for the European Year of Disabled People in its Opinion on the Proposal for a Council Decision on the European Year of People with Disabilities 2003 ⁽¹⁾.

4.9. The Committee understands that the primary goal for the Commission initiative is to secure access to public Web sites for disabled people across all sectors and policy areas, and that the access to public Web sites can provide a means to integrate disabled people across all policy and programme areas. As part of such a process the initiative may lead to an open method for coordination of policies and exchange of best practice across the EU Member States. In many Member States the objection has been raised that the process of implementation of the WAI guidelines will constitute an excessive financial engagement. This assumption is simply wrong, because implementing the accessibility guidelines is just at the beginning a little more expensive than not implementing them. The Committee believes that the national governments should earmark funding for the implementation of the objectives of the Communication taking into account all aspects and all activities, including professional training of their staff and increasing the efficiency of the public administrations.

4.10. Special attention should be paid to the setting up of accessible electronic terminals in all places where disabled people are likely to make use of them.

⁽¹⁾ COM(2001) 271 final — 2001/0116 (CNS).

Brussels, 20 February 2002.

The President
of the Economic and Social Committee
Göke FRERICHS

Opinion of the Economic and Social Committee on the 'Proposal for a Council Regulation fixing the premiums and guarantee thresholds for leaf tobacco by variety group and Member State for the 2002, 2003 and 2004 harvests and amending Regulation (EEC) No 2075/92'

(2002/C 94/05)

On 7 December 2001, the Council decided to consult the European Economic and Social Committee, under Articles 36 and 37 of the Treaty establishing the European Community, on the above-mentioned proposal.

On 27 November 2001, the Bureau of the European Economic and Social Committee instructed the Section for Agriculture, Rural Development and the Environment to prepare the Committee's work on the subject.

Owing to the urgent nature of the opinion, the 388th EESC plenary session of 20 and 21 February 2002 (meeting of 20 February) appointed Mr Liolios as rapporteur-general and adopted the opinion by 55 votes to 34 with three abstentions.

1. Introduction

1.1. In conjunction with the interim review of Community provisions for the common organisation of the market for tobacco, the European Commission drew up the present draft regulation, to be submitted to the Council, in which it makes the following proposals:

1.1.1. For the 2002 harvest, premiums will remain at the same level as for the previous years for all variety groups, with the exception of Group V, where the premiums will be cut by 10 %.

1.1.2. For the 2003 harvest, premiums in all variety groups will be cut by 1 %, while for the 2004 harvest, all premiums will decrease by 3 %, owing to the increased deduction for the Community Tobacco Fund.

1.1.3. For certain varieties, the payment of additional sums will continue, owing to increased production costs in tobacco-producing countries.

1.1.4. Guarantee thresholds (quotas) will be brought down for all variety groups and particularly variety groups I, II, III and V. More specifically, the situation will look like this:

Variety group	Quota reduction 2002 harvest	Quota reduction 2003 harvest	Quota reduction 2004 harvest
I	0,5 %	1,5 %	—
II	1 %	3,5 %	—
III	1 %	3,5 %	—
IV	0,5 %	—	—
V	1 %	3,5 %	—
VI	0,5 %	—	—
VII	0,5 %	—	—
VIII	0,5 %	—	—

1.1.5. Under the existing set-up, provided they inform the European Commission in good time, Member States can apply the auction system to all cultivation contracts (for all variety groups). The proposed change gives Member States the possibility of applying the auction system to cultivation contracts for certain variety groups only.

1.1.6. The draft regulation does away with the national quota reserves, which were to be funded by a 0,5-2 % levy on all quotas, for distribution to new or existing tobacco growers with a view to ensuring their holdings were viable.

1.1.7. The draft regulation redefines the scope and financing of the Tobacco Fund's activities while increasing its resources significantly (2 % deduction on premiums for the 2002 harvest, 3 % for the 2003 harvest and 5 % for the 2004 harvest). More specifically, the agronomic research dimension will be replaced by activities and measures aimed at developing alternative sources of income and economic activity for growers, while public information campaigns on the harmful effects of tobacco consumption will be stepped up.

1.2. The overall financial impact of the proposed Regulation will amount to EUR 61,4 million, resulting from cuts in premiums and quotas. The breakdown is as follows:

1.2.1. EUR 31,4 million will be saved for the Community budget from the 10 % cut in premiums for variety group V and the reduction in guarantee thresholds (quotas) for all varieties.

1.2.2. The Community Tobacco Fund will benefit from an extra EUR 30 million for the 2003-2004 period (approximately EUR 10 million for 2003 and EUR 20 million for

2004), owing to the increased deduction for the Tobacco Fund from the premiums for all variety groups (1 % for the 2003 harvest and 3 % for 2004).

2. General comments

2.1. In the European Commission communication 'A sustainable Europe for a better world: A European Union strategy for Sustainable Development' ⁽¹⁾, it was proposed that the emphasis of EU agricultural aid should be reoriented so as to reward healthy, high quality, products and practices rather than quantity.

2.2. With this in mind the Commission, in its proposal fixing the premiums and guarantee thresholds for leaf tobacco, has indicated that, following the 2002 review, the tobacco regime should be adjusted.

2.3. The EESC takes into account this general approach but would point out that the final review and position must be undertaken also in conjunction with the Commission's presentation of its review and proposal for raw tobacco.

2.4. Since the tobacco sector is of major regional importance for less favoured areas, and in particular provides employment for small holdings, it is vital that the European Commission in every way makes an immediate start on work to frame proposals for alternatives.

2.5. The EESC notes that the resources allocated to the Community Tobacco Fund since 1996 have not been much used up to now.

2.6. The EESC emphasises the negative experience of the voluntary abandonment of tobacco-growing by tens of thousands of producers of Group V varieties in 1993/1994, most of whom, after the expiry of the three years of aid (compensation) from the European Union, are unemployed. Very few of them were able to switch to another activity in a different sector. The regions where this programme was applied now find themselves in a situation of economic disarray and stagnation.

2.7. The EESC regards as excessive the draft regulation's proposed reduction in quotas particularly for Groups I and II, whose varieties are among those for which there is the greatest commercial demand. European tobacco producers have in recent years made technical and agronomic improvements with a view to adapting production to market needs. Moreover, the current situation of the raw tobacco market does not call for any reduction in guarantee thresholds.

2.8. The EESC also regards as excessive the proposal to reduce by 10 % the premiums for Group V tobacco varieties, which jeopardises the restructuring programmes successfully applied to them by the Member States with the voluntary participation of producers.

2.9. As regards the proposed provisions on cultivation contract auctions and the national quota reserve, the EESC takes the view that the proposals are positive and that by their very nature they are likely to facilitate the proper functioning of this type of activity, simplify administrative management and reduce red tape. However, with a view to harmonising Community rules more effectively with the rules of certain Member States, care must be taken to ensure that the 'cultivation and delivery contract' provided for cooperatives in some national regulations, is considered equivalent to the 'cultivation contract' provided for in the existing Community legislation (Art. 9 of Regulation (EC) No 2848/98).

2.10. Since the Community Tobacco Fund involves a deduction at source of a percentage of the premium granted to producers, any rise in that percentage means a corresponding reduction in the actual amount of the premium. The proposal needs to be examined with care, as it entails a significant reduction in the premiums' value. The EESC believes that the proposed increase for the Community Tobacco Fund, without a prior review of the management of that Fund — especially as regards the use of the money and the research results — does not seem to be either legal or correct.

2.11. Finally, the EESC would like to mention the EP's position regarding Recital 5 of the Commission proposal as presented in its draft report ⁽²⁾ on the same subject:

'This recital, in the wording proposed by the Commission, prejudices on the basis of what is only a consultation paper the final outcome of the decisions to be taken in due course on the future tobacco regime. Furthermore, it does so without taking into account two factors: firstly the fact that the European Council in Göteborg did not approve the Communication, but confined itself to calling on the Council to examine proposals with a view to the application of the European Strategy for Sustainable Development; secondly, the Commission itself envisages a set of provisions for sectors which may be directed affected by

⁽¹⁾ COM(2001) 264 final.

⁽²⁾ PE 307.209 of 9 January 2002, Justification for Amendment 1, p. 5 (Rapporteur: Mr Cunha).

the process of adaptation, as is the case for the tobacco sector. Consequently, a paragraph from the Communication cannot be taken out of context, as is done in recital 5, ignoring the rest of the provisions and proposals. Furthermore, it must be borne in mind that the debate on the future of the COM in tobacco remains open, pending studies which the Commission has undertaken to submit during 2002.'

2.11.1. For the above reasons, the EESC considers that any sudden change in the sector would be premature and would have unpredictable social and economic consequences. Without the sectoral study having been duly submitted and evaluated (this is expected at the end of 2002), such comments as that in Recital 5 of the proposal contradict the previous positions of the European Commission. The EESC therefore considers that for reasons of consistency Recital 5 should be removed from the proposal.

3. Specific comments

3.1. The EESC points to the considerable delay on the Commission's part in submitting its proposal. The final decisions will, in all probability, be taken after cultivation has already started, which will undermine the work of farmers and the processing industry and seriously disrupt the functioning of the market.

3.2. For the above reasons, the EESC asks the European Commission:

a) to extend the current tobacco regime and the validity of

Regulation (EC) No 660/1999 ⁽¹⁾ for a further three years (2002-2004), maintaining current premium levels and the guarantee thresholds (quotas) for all variety groups. The EESC in any case recommends to the European Commission that future amendments should take effect as of 2003, and that last year's regime (2001) should be maintained for the year 2002;

b) to maintain at current levels throughout the three-year period 2002-2004 the 2 % deduction for premiums for the Community Tobacco Fund, as provided for in Council Regulation 1636/1998 ⁽²⁾ and to continue to include agronomic research among the measures supported by the Fund.

3.3. The EESC endorses the Commission's efforts to encourage the Member States to establish action plans using funds from the Community Tobacco Fund, but thinks it is going too far in proposing to increase the deduction, on the basis of the interim review and without a prior assessment of the Fund. Any deduction from tobacco producers' premiums to finance the Fund should be delayed provisionally until the resources accumulated to date have been effectively deployed so as to ensure that the Community Tobacco Fund is working.

⁽¹⁾ Council Regulation (EC) No 660/1999 of 22 March 1999 amending Regulation (EEC) No. 2075/1992 and fixing the premiums and guarantee thresholds for leaf tobacco by variety group and Member State for the 1999, 2000 and 2001 harvests, OJ L 83, 27.3.1999, pp. 10-14.

⁽²⁾ Council Regulation (EC) No 1636/98 of 20 July 1998 amending Regulation (EEC) No 2075/92 on the common organisation of the market in raw tobacco, OJ L 210, 28.7.1998, pp. 23-27.

Brussels, 20 February 2002.

The President
of the Economic and Social Committee
Göke FRERICHS

APPENDIX

to the Opinion of the Economic and Social Committee**(Rule 47 of the Rules of Procedure)**

The following amendment, which received at least one quarter of the votes cast, was defeated in the course of the Committee's debates:

Delete and replace the entire text as follows:

1. Introduction

1.1. The Commission's proposal is fully consistent with its earlier communication "A Sustainable Europe for a better world: A European Union Strategy for Sustainable Development" ⁽¹⁾. The phasing out of tobacco subsidies is proposed, along with measures to develop alternative sources of income and economic activity for tobacco industry workers and tobacco farmers.

1.2. The proposal states that a review is under way of the common organisation of the market for raw tobacco, which will make it possible to anticipate the impact Community legislation will have on the raw tobacco sector.

1.3. The proposal's provisions form part and parcel of Community measures to reduce the threat to public health and to reorientate EU agricultural support so as to reward healthy, high quality products and practices rather than quantity.

2. General comments

The EESC welcomes the Commission's proposal for a Regulation fixing the premiums and guarantee thresholds for leaf tobacco and supports both the proposal to give immediate notice of the intention to phase out tobacco subsidies and the technical sections in which the Commission proposes amendments to the existing Regulation (EEC) No 2075/92.'

Reason

The Commission's proposal is objective and fully consistent with 'A Sustainable Europe' communication. The draft opinion is inconsistent with these principles. I propose that the EESC back the Commission's proposal.

Result of the vote

For: 44, against: 55, abstentions: 3.

⁽¹⁾ COM(2001) 264 final.

Opinion of the Economic and Social Committee on:

- the 'Proposal for a directive of the European Parliament and of the Council on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC', and
- the 'Proposal for a regulation of the European Parliament and of the Council on the control of salmonella and other food-borne zoonotic agents and amending Council Directives 64/432/EEC, 72/462/EEC and 90/539/EEC'

(2002/C 94/06)

On 12 September 2001 the Council decided to consult the European Economic and Social Committee, under Article 152 of the Treaty establishing the European Community, on the above-mentioned proposals.

The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 29 January 2002. The rapporteur was Mrs Davison.

At its 388th plenary session on 20 and 21 February 2002 (meeting of 20 February), the European Economic and Social Committee adopted the following opinion by 85 votes to one with seven abstentions.

1. Introduction

1.1. Zoonoses are diseases or infections that can be transmitted from animals to humans. Infections usually happen as a result of eating products of animal origin. Salmonellosis is the most reported zoonotic disease in European countries. Salmonella comprises more than 150 serotypes and can be found in a whole series of food products such as raw eggs, poultry, pork, beef, other meat products and dairy products. Familiar symptoms and their severity vary according to the serotypes. They are diarrhoea, fever, headaches, vomiting. Nevertheless salmonellosis is a serious illness and sometimes can even be fatal. Complications can affect everybody, but babies, older persons and pregnant women are particular risk groups.

1.2. Salmonella is just one zoonotic agent. The second 'most common' in humans, is Campylobacter. The main symptom is diarrhoea, but Campylobacter infection can sometimes lead to a nerve disorder and paralysis in rare cases. It is mainly found in chicken meat.

1.3. Listeria and certain types of E.coli are also the zoonotic agents for two other common infections⁽¹⁾.

2. Impact of zoonoses on human health

2.1. There are no reliable and comparative figures on the number of cases of illness or death in the EU as a result of

zoonoses. National reporting systems differ and only a small proportion of the number of cases of illness are reported. Campylobacter is estimated to be responsible for 127 000 reported cases of food-borne illness in 1999⁽²⁾. According to data published by the Office for International Epizootics (OIE), in 2000⁽³⁾, more than 219 141 human cases of salmonella infections in humans were reported in the EU countries. The European Commission is collecting data too, published yearly in an annual report on salmonellosis⁽⁴⁾. It provides an estimate of a total number of 165 569 cases of human salmonellosis in 1999. However, the wide and inexplicable differences in data between Member States indicate failures in both monitoring and co-ordination.

2.2. In addition to personal suffering and premature death, zoonoses are responsible for major healthcare expenditure and loss of working hours. According to WHO⁽⁵⁾, cost estimates per reported case of human salmonellosis range from approximately EUR 1 100 to EUR 1 500 in Europe. The UK Food and Drink Federation has estimated that the cost to the health service of England and Wales of treating illness caused by Salmonella and Campylobacter was UK£ 27,8 million in 1999.

⁽¹⁾ Listeria monocytogenes, Escherichia coli (Source, recital (10), Proposal for a directive on the monitoring of zoonoses and zoonotic agents).

⁽²⁾ Source: EU Commission report on the measures to be put in force for the control and prevention of zoonoses, COM(2001) 452 final.

⁽³⁾ Source: OIE, Handistatus/OIE, website: www.OIE.int.

⁽⁴⁾ According to the EU Commission, the report (COM(2001) 452 fin) has to be carefully interpreted. For certain zoonotic agents, comparable or uniform surveillance plans are not applied in the European Union. Data may not necessarily derive from national plans with specific and statistically planned sampling.

⁽⁵⁾ WHO Fact Sheet No 139, January 1997.

2.3. The Committee therefore recommends a much more robust and rapid approach than the Commission is proposing.

3. Outline of the European Commission's proposals

3.1. On 1 August 2001, the European Commission adopted two proposals to review current legislation and to improve the prevention and control of zoonoses: a proposal for a Directive on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC; and a proposal for a regulation on the control of salmonella and other food-borne zoonotic agents and to amend Council Directives 64/432/EEC, 72/462/EEC and 90/539/EEC. The two proposals are part of the follow-up to the White Paper on Food Safety ⁽¹⁾.

3.2. The proposed directive obliges Member States to put in place improved and better co-ordinated monitoring systems. It lays down a system for monitoring certain zoonotic agents throughout the human food and animal feed chain. In addition, Member States will be required to take part in co-ordinated monitoring programmes in order to establish baseline values on the level of most important zoonotic infections in each Member State. These programmes will be co-financed from the Community budget. The new monitoring requirements also include the collection of data on the incidence of zoonotic diseases in humans, on the prevalence of food-borne outbreaks and the monitoring of antimicrobial resistance in certain zoonotic agents.

3.3. The proposed regulation sets out a framework for pathogen reduction to reduce the prevalence of these organisms by setting Community-wide targets for zoonotic agents in specific animal populations, and possibly at other stages along the food chain. Community targets for this reduction policy are to be set progressively on the basis of scientific opinion, according to a fixed timetable. Salmonella is identified as the priority target, especially in poultry products and eggs.

3.4. The targets are to apply from 2005 onwards to breeding flocks of chicken, from 2006 onwards to laying hens, from 2007 onwards to broilers, from 2008 onwards to turkeys and breeding pigs. After a transitional period marketing restrictions will apply to table eggs from flocks suspected or confirmed of harbouring specific types of salmonella (from

2008 onwards). Poultry meat will also have to comply with set microbiological criteria from 2009 onwards. A procedure is also laid down to set targets for other animal populations or zoonotic agents other than salmonella.

3.5. To achieve the reduction targets, Member States will need to adopt national control programmes and encourage the private sector to collaborate. For trade between Member States in relevant live animals and hatching eggs, certification of salmonella status will be made obligatory according to the above time schedule. With respect to third country imports into the EU, equivalent certification measures will be required following the same schedule. The proposal gives the Commission the option to exclude certain control methods to be used against zoonoses such as the use of antibiotics or vaccination in animal populations, or to decide on conditions for their use.

4. Existing Community legislation

4.1. Council Directive 92/117/EEC seeks to establish a reliable reporting system on the prevalence of zoonoses generally, and to bring about also monitoring, control and ultimately eradication of some invasive serotypes of salmonella in poultry breeding flocks. It also provides for the development of control measures for other zoonotic agents than salmonella.

4.2. Currently the control measures cover only two types of salmonella in poultry breeding flocks.

4.3. Directives 90/667/EEC and 92/118/EEC and the corresponding Commission Decisions cover the control of zoonotic agents in animal waste and feed processing.

4.4. Provisions on the control of certain zoonoses at farm level have been laid down in various Directives regarding animal health conditions in trade of live animal, e.g. provisions on bovine tuberculosis and brucellosis in Directive 64/432/EEC. Furthermore, there are rules in certain hygiene Directives providing for the control of zoonoses at farm level, e.g. in Directive 92/46/EEC regarding dairy herds. Measures on the control of zoonotic agents in processing and distribution of foodstuffs of animal origin are provided in the corresponding hygiene directives. This legislation is currently being restructured and revised in order to establish a coherent and consistent body of hygiene rules, based on an integrated approach applied at every stage in the food chain (Opinion on Hygiene of foodstuffs) ⁽²⁾.

⁽¹⁾ COM(1999) 719 final.

⁽²⁾ OJ C 155, 29.5.2001, pp. 39-46.

4.5. Community legislation on the monitoring and control of the zoonoses has been developed gradually and to varying degrees in different Member States. Experience shows, however, that not all Member States were able to fully implement the system foreseen by the 'Zoonoses' Directive. Only seven Member States (DK, IRL, FIN, S, A, F, NL) have been recognised as fully implementing the provisions on salmonella control of breeding flocks. The European Commission indicates that authorities have taken effective measures against salmonella and other zoonotic organisms in all Member States either alone or in co-operation with private businesses. The Committee regrets that these measures are not detailed in the Commission's report.

5. Recommendations

General recommendations

5.1. In April 1999, the EESC adopted an opinion on zoonoses⁽¹⁾. The Committee supports all the points adopted in 1999, many of them being still relevant to the current situation. In particular, we prioritise public health, regret the delays in implementing EU legislation and propose a high profile conference involving all the players in order to create political and economic resolve.

5.2. The publication of the European Commission proposals is much welcomed. The prevention of zoonoses is an important element of food safety. In addition, as stated above, zoonoses are responsible for major individual suffering and premature death, as well as major healthcare expenditure and loss of working hours. The Committee strongly believes that the prevention of zoonoses should be a top priority for the EU and the Member States and that appropriate resources should be devoted to this end.

5.3. The Committee starts from the proposition that food supplied to consumers should be safe. Recent food scares have resulted in loss of consumer confidence and decrease of consumption in products concerned. The Committee feels that Public Authorities failed to ensure the effective implementation, control and enforcement of the legislation as well as certification process.

5.4. The Committee therefore believes that it is in the common interest of all parties involved in the food chain and Public Authorities to ensure the implementation of, and compliance with high safety standards throughout the food

chain. This will also contribute to ensuring the competitiveness of European farming at international level, which must remain associated with high quality standards and production methods.

5.5. Member States will bear the greatest responsibility in the establishment of the national control programmes and control of their application. Reports have clearly shown that Directive 92/117/EEC has been poorly implemented in Member States. The deadlines set in Directive 92/117/EEC have not been respected and the Committee feels that the Commission should have taken action much sooner on this issue. This situation and its negative impact on food safety, consumer protection and EU trade has been strongly criticised by the EESC in the 1999 Opinion on zoonoses⁽¹⁾. We therefore express concern about the implementation of this new proposed regulation, which places further requirements on Member States, when the implementation of the 92/117/EEC Directive is still not completed. We agree that Member States have the main responsibility for implementing the proposed regulation but we ask the Commission to allocate appropriate resources for regular Community controls of national programmes, in particular through the Food and Veterinary Office (FVO) in order to put more pressure on the Member States. Only recently, FVO inspected salmonella during a series of missions on the production of poultry meat. But the report still has to be finalised. A priority for the FVO should also be to encourage the Commission to use the infraction procedure, which has never been used in the area of legislation on zoonoses.

5.6. The European Commission proposals refer to antibiotic resistance, which is welcome. The prevention of zoonoses and antibiotic resistance are two interconnected issues. Zoonoses in domestic animals lead to increased use of antibiotics, which has been identified as a major cause for the development of bacteria resistant to antibiotics. Therefore the prevention of zoonoses is an important element of a comprehensive strategy for the prevention of antibiotic resistance. The Committee is aware that the problem of antibiotic resistance must take account of human healthcare, veterinary medicine and animal husbandry as part of the same eco-system⁽²⁾. The fight against antibiotic resistance will only be successful if comprehensive policies are adopted, covering areas such as antibiotic usage in humans and animals, monitoring of antibiotic usage, surveillance of antibiotic resistance, research, etc.

(1) Opinion of the EESC on the Proposal for a Directive amending Directive 92/117/EEC concerning measures for protection against specified zoonoses and specific zoonotic agents in animal and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications, 28 April 1999, OJ C 169, 16.6.1999.

(2) Opinion of the EESC on the Resistance to antibiotics as a threat to public health, OJ C 407, 28.12.1998.

6. Monitoring of zoonoses and zoonotic agents

6.1. The proposed directive on the monitoring of zoonoses and zoonotic agents would oblige Member States to undertake action in monitoring zoonotic organisms in general and ensure a better co-ordination of the monitoring and publication of data. As mentioned by the European Commission, the collection of human data on the incidence of zoonotic disease is of paramount importance to base food safety legislation on scientific advice and to obtain feedback on the effectiveness of the control applied.

6.2. We welcome inclusion in the monitoring of a wide range of zoonoses and zoonotic agents as recommended by the Scientific Committee on Veterinary Measures relating to Public Health⁽¹⁾. In view of the importance of the issue, all operators in the food chain should be involved in monitoring zoonoses, feed producers included.

6.3. The Committee notes that the proposal does not specify which animal species the monitoring is to cover. The 'new' directive must clearly indicate that monitoring includes all sorts of domestic animal populations since the objective is to obtain sufficient knowledge for the preparation of specific prevention programmes. Also the proposal must confront the issue of multi-resistant bacteria.

6.4. The Committee stresses the importance of reliable and efficient monitoring of zoonoses. New zoonoses are emerging as a result of many factors, such as increased and freer movement of people and animals, global climate change, grafting organs or tissues, etc. The EU must be ready to identify, prevent and face these new zoonoses.

6.5. Member States shall prepare yearly reports on trends and sources of zoonoses, which they must transmit to the Commission and the future European Food Safety Authority (EFSA). The EFSA shall compile a synthesis report. It is important that both national and Community reports are made publicly available. The collection of national reports and the preparation of synthesis reports, must be one of EFSA's priorities as well as the collection and dissemination of information on zoonoses. The Committee insists on full transparency of reporting procedures. Consumers and interested parties must have easy access to the information provided by Member States. This is an important element of information and of control of measures taken at national level.

6.6. Finally, we fully support the proposal to include the monitoring of antibiotic resistance in zoonotic organisms within the proposed directive. As already noted by the European Economic and Social Committee in its September 1998 Opinion on antibiotics⁽²⁾, antibiotic resistance is a growing human and animal health problem, and needs to be rigorously attacked.

7. Control of salmonella and other food-borne zoonotic agents

7.1. With regard to the proposed regulation on the control of salmonella and other food-borne zoonotic agents, the creation of a framework for pathogen reduction policy is very much welcomed but we have many concerns regarding the practical implementation of the proposal.

7.1.1. The proposal would cover, in principle, all zoonoses. However, the specific control requirements cover only certain types of salmonella, especially in poultry products and eggs. We question the limitation of the scope of the regulation, which should include a wider range of pathogens and animal populations. For example, it is demonstrated that meat products, pork in particular, are also a major source of salmonella. And bacteria like *Campylobacter* and *E.Coli* are serious sources of human disease.

7.1.2. Community pathogen reduction targets for selected zoonotic agents in selected farming animal populations will be set according to a fixed timetable. The Committee supports the Commission proposal and the approach adopted but feels that the deadlines proposed for new measures are much too long. It is concerned that the first targets for the reduction of prevalence⁽³⁾ will only be established by the end of 2003 for all salmonella types with public health significance in breeding flocks, and up to end 2006 for all salmonella types with public health significance in breeding herds of pigs. Mandatory testing and certification for trade will not apply before 2005 for salmonella in breeding flocks and 2008 for salmonella in breeding herds of pigs. The Committee feels that this is not acceptable. Zoonoses are a very serious problem that needs to be addressed urgently through a comprehensive set of measures. Reducing the prevalence of zoonoses is the interest of all operators of the food chain, from farmers to consumers.

(1) Opinion on food-borne zoonoses, 12.4.2000.

(2) Opinion of the EESC on the Resistance to antibiotics as a threat to public health, CES 1118/98, OJ C 407, 28.12.1998.

(3) See Annex I of the proposed regulation on the control of zoonoses.

7.1.3. One reason for urgent action is to solve the problem of trade within the EU. The various zoonoses profiles between the different EU countries lead to distortions of competition. Countries with stricter policies against zoonoses want to demand guarantees with regard to imports from other Member States. This must be resolved for the good functioning of the internal market with respect for the highest safety standards.

7.2. We welcome the certification system on salmonella within the EU. With respect to third country imports, we demand that a strict control of the application of 'Equivalent measures' be applied. This system is mainly based on evaluation by the Commission services of national control programmes, or on declarations made by the third countries. It must also include thorough spot controls by the FVO. The Committee insists that products imported from third countries comply with the same standards as products produced within the EU. This is in the interest of producers as well as consumers and cannot be guaranteed just by declarations from the exporting countries. A system of control must be put in place that complies with international trade rules.

7.3. The proposed regulation refers to the Community legislation on food hygiene ⁽¹⁾. The Committee has urged that the implementation and full application of the principles of the HACCP ⁽²⁾ system, at every stage of the food chain, is a fundamental element in the control of zoonoses. The HACCP system prescribes a number of logical steps to be followed by operators throughout the production cycle in order to allow — through hazard analysis — the identification of points where control is critical with regard to food safety.

7.4. The Commission's proposed regulation will not achieve its objectives if HACCP principles are not implemented right through the food chain. In March 2001, the Committee stated that 'The same hygiene rules and the same control methods must apply at all stages in the food chain — from primary production to delivery to the final consumer.', and that 'Each operator at each stage in the food chain remains fully responsible for the safety of his or her products' ⁽³⁾.

⁽¹⁾ COM(2000) 438 final, OJ C 365, 19.12.2000, p. 132.

⁽²⁾ HACCP: Hazard Analysis Critical Control Points.

⁽³⁾ Opinion on 5 Commission proposals concerning hygiene rules, OJ C 155, 29.5.2001, p. 39-46.

7.5. With regard to hygiene and good practices, the Committee reiterates its concern that action for the prevention of zoonoses must be taken at every stage of the food chain, covering primary level producers, animal feed and food manufacturers, slaughterhouses, trade and distribution. In particular, progress could be made quite rapidly by means of action to ensure stricter hygiene conditions in slaughterhouses, where contamination often occurs due to salmonella in contaminated animals spreading from the throat and intestine to the meat. Consumers have their share of responsibility too: food preparation hygiene is also very important. Consumer education must be stepped up and co-ordinated at EU level. This could be encouraged, for example by building on the European campaigns on Food Safety, and the Annual Young Consumer competition organised by the European Commission.

7.6. The Commission's proposal concerning the hygiene of foodstuffs ⁽¹⁾ refers to the possibility of using decontamination methods. The Committee is very concerned about the use of such methods, which should not be used to restore safety in a product that has been produced under poor hygiene conditions. The use of decontamination methods must be strictly controlled and in any case clearly labelled on the final product including imports.

7.7. Since 1996, the Committee has called twice on the Commission and other interested parties for a conference to create determination to take action on zoonoses. The Committee is actively engaged in activities aimed at raising public awareness on the issue of zoonoses, the scale of the problem and the need for urgent action. If the players in the food chain decided on a concerted response, the incidence of zoonoses could be reduced quite rapidly.

7.8. A comprehensive policy on the control of zoonoses should also address the issue of encouraging good agricultural practices across the board. Good quality management in farms will greatly contribute to the reduction of zoonoses. The CAP should aim at raising awareness on the issue and provide training and support to farmers willing to improve their production methods in order to respond better to consumer demand and contribute to the highest food safety level.

Brussels, 20 February 2002.

The President

of the Economic and Social Committee

Göke FRERICHS

Opinion of the Economic and Social Committee on the 'Communication from the Commission — Towards a strategic vision of life sciences and biotechnology: consultation document'

(2002/C 94/07)

On 6 September 2001 the Commission decided to consult the Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the above-mentioned communication.

The Section for the Single Market, Production and Consumption, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 25 January 2002. The rapporteur was Mr Bedossa.

At its 388th Plenary Session of 20 and 21 February 2002 (meeting of 21 February), the Economic and Social Committee adopted the following opinion by 83 votes to two with three abstentions.

1. Introduction

1.1. At the European Council in Lisbon in March 2000, the European Union set itself a new strategic goal for the next decade: to become the most competitive and dynamic knowledge-based economy in the world capable of sustainable economic growth with more and better jobs and greater social cohesion.

1.2. At the Stockholm European Council, which followed Lisbon, the Commission again drew attention to the economic, social and environmental potential of life sciences and biotechnology. It is with the aim of articulating this strategic vision and implementing it by 2010 and beyond that the Commission is initiating a broad and open discussion on the basis of this communication.

1.3. First, in accordance with the new principles of governance in Europe, and in order to adapt this comprehensive and forward-looking approach to meet future challenges and the Lisbon objectives, the Commission is now launching a broad public debate on the issue, with the aim of reaching a consensus if possible.

1.4. To start with, it should be pointed out that the current biotechnology boom is almost exclusively concentrated in developed countries, namely northern America, Europe and Japan and more recently China and Australia, too (and perhaps other parts of Asia in the future).

1.5. The developing world is largely a spectator, for reasons which have to do with a lack of scientific know-how, with the amount of financial resources available and with the scarcity of 'risk-taking' entrepreneurs.

1.6. All countries, and especially developing countries, are concerned with the need to increase food resources and with the problem of environmental pollution. There is a risk of them being relegated to the role of observers without the reassurance that the products being tested (e.g. medicines) are

being developed with their particular needs in mind. There is a risk that their rich genetic heritage (animals or plants) that helps to make up the planet's biodiversity will be exploited without payment by third parties or sold to the highest bidder.

1.7. Life sciences and biotechnology raise countless questions that must be addressed at the appropriate level, on the basis of subsidiarity; in the case of life sciences for which ethical principles must be defined, for instance, responsibility lies with the Member States.

To avoid problems, it must be possible to design a European framework. The Council of Research Ministers reached a political agreement on this on 10 December 2001.

1.8. This open, comprehensive, transparent and cross-disciplinary debate concerns everybody: public authorities, scientists, economic players, consumers, the general public, organised civil society and social players.

1.9. Every kind of issue must be addressed:

- broad scientific knowledge;
- improving health and increasing food resources;
- competitiveness;
- research;
- innovation;
- opportunities and risks;
- social context and ethical basis.

These issues shape public perceptions and must therefore be considered rationally and honestly.

2. General comments

Biotechnology is certainly a fascinating topic: it has a long tradition since it is one of the oldest human farming skills, used for example to produce bread, beer, wine, cheese and other products of fermentation; to rear new species of animals and cultivate new types of plants; to produce vaccines, antibiotics, etc. The term 'biotechnology' has been used for several decades owing to the rapid advances made in the field.

2.1. *What is biotechnology?*

2.1.1. To be logical and chronological, we should first consider what has been discovered in the field of life sciences, especially genetics.

2.1.2. Considerable progress has been made in understanding the structure, function and reproduction of living cells. But the concept of genetic heritage must be precisely defined because genetic determination has not yet been completely elucidated.

2.1.3. Much work remains to be done in terms of understanding, decoding and interpreting genetic interactions in order to improve human health.

2.1.4. Very quickly, in just a few years, genetic research has developed the technical capacity to identify, isolate, reproduce and transfer one or more genes to another living organism. This is what is referred to as genetic engineering, which has the pejorative connotation of genetic manipulation.

2.1.5. The next stage is to use molecular biology and genetic engineering in practical applications, especially in biotechnology, whose main applications are in human health (diagnostics and/or therapeutics) and agriculture (genetically modified organisms, or GMOs). This must be broadened to include new areas, such as production of fine chemicals and bioremediation.

2.2. *Biotechnology: an everyday reality*

2.2.1. Biological techniques have existed for a very long time, and biological science has given the human race considerable capabilities: in the past microbiology, in the form of vaccines, was used to treat diseases; now genetic science and its applications are marking a real break with the past, and public opinion is only gradually becoming aware of this (vaccines, new medicines).

2.2.2. Genetic diagnosis is now becoming common.

2.2.3. However, GMOs in foodstuffs are provoking a very strong public reaction.

2.2.4. Biotechnology is now relevant to human health, feeding the population and combating pollution. The role of biotechnology is certain to expand; 25 % of new medical active substances are now produced by biotechnology, and this will increase to 50 %.

2.2.5. There are considerable economic implications in terms of competitiveness, economic growth and employment.

2.2.6. The financial costs are high and return on investment slow, requiring involvement of strong economic players, as in most economic sectors that use new high-potential technologies.

2.2.7. In many respects biotechnology is ultimately, like information technology, one of the spheres of scientific application likely to produce profound upheavals in our developed societies in future decades.

2.2.8. Public opinion is thus confused and increasingly vocal: it is difficult for the general public to follow scientific advances, but there is a realisation that discovering the human genetic heritage is a major breakthrough. This positive and negative interest is expressed in language that is not always adequate for the necessary task of informing and familiarising. Generally speaking, the gulf between scientific experts and the general public with respect to available information and knowledge is very wide. This problem and others were addressed by the Committee in a previous opinion entitled 'Science, society and the citizen in Europe' ⁽¹⁾ (points 3.1.3, 7.1 and 7.3).

2.2.9. Beyond this often highly emotional response, people are weighing up the importance of the ethical and political issues raised by the very rapid progress and development of biotechnology. Obviously this is nothing new in science, where for a long time precautionary measures and regulations have been required to protect researchers against the risks they face when conducting their activities or to ensure rigorous restrictions on human experimentation.

⁽¹⁾ OJ C 221, 7.8.2001, p. 1.

2.2.9.1. What are the answers to these questions and who should give the answers? The question must be presented with all its implications, especially since the ethical issues are acquiring an extra dimension in the form of a legitimate concern to protect human beings and the environment.

2.2.10. Thus the almost limitless possibilities that genetic engineering seems to offer and the substantial growth in genetic diagnostics are generating an ethical debate of unprecedented intensity (e.g. on cloning, prevention of genetic abnormalities). How can these questions be answered and who should provide the answers to them?

2.3. *The implications of biotechnology for Europe*

2.3.1. There are implications for the quality of research in the life sciences and the extent to which it meets current social expectations:

- competence and quality of scientists concerned, their organisations and education systems;
- effectiveness of the innovation process;
- the role of public authorities in promoting the development of life sciences and biotechnology;
- definition of 'valuable' research: the pharmaceuticals industry for health, agri-foodstuffs industry for GMOs;
- compatibility with the legal framework:
 - supervision of research
 - marketing authorisation
 - industrial property rights;
- amount of information provided, involvement of and acceptance by the general public; the extent to which advances that are problematic are acceptable to a general public behaving like a cat on a hot tin roof: enthusiastic about the distribution of genetically engineered insulin but fearful and full of wild ideas when it comes to consumption of GM cornflour, as if it were easier to inject a medicine than to eat a fruit or salad;
- ethical limits imposed on society.

2.3.2. Here, too, the Committee refers to its opinion 'Science, society and the citizen in Europe' (1). This opinion formed the basis for an action plan.

(1) OJ C 221, 7.8.2001, p. 1.

3. **Specific comments**

3.1. This lengthy consultation document from the Commission is based on 25 years of policies and texts relating to life sciences and biotechnology. The Commission, the European Parliament, the Council of Europe, the Organisation for Economic Cooperation and Development (OECD) and the European Group on Ethics have produced a raft of opinions, documents, rules and guidelines that join the many contributions from the Member States, and from the numerous professional players concerned.

3.2. The Commission is relaunching the consultation and debate, to which it attaches primary importance. The European Commission, in which several Commissioners and departments are responsible for biotechnology, invites comments from citizens, consumers, as well as organised civil society, scientists, public authorities and players with economic interests in industry, agriculture or the services sector to contribute to the Commission's reflections on the policy paper in preparation.

3.3. *Europe lagging behind*

3.3.1. The debate is needed now because Europe is lagging behind the United States in this area.

3.3.2. Several European countries have played a key role in crucial discoveries in molecular biology. Life sciences research in Europe is not inadequate, either quantitatively or qualitatively: although publications may be slightly inferior in the sphere of basic science, they are far superior in medical research. An important indication is Europe's contribution in terms of completed sequencing of whole genomes.

3.3.3. It is Europe's research culture that has been more relevant, such as the tradition of knowledge-sharing which discourages patent applications, and the weakness of links between research and industry, which produces misunderstanding.

3.3.4. Certain governments in Europe have been slow to grasp the implications of biotechnology in terms of competitiveness, growth and employment, whereas the European institutions were much quicker on the uptake.

3.3.5. Thus the development of biotechnology applications in health was slow. The pharmaceuticals industry in Europe also took a long time to become interested in active substances produced by biotechnology.

3.3.6. Lack of risk capital put a brake on the development of new technologies, including biotechnology.

3.4. *Europe wakes up*

3.4.1. The Commission played an important role in providing a 'wake-up call'.

- In 1970 a first directive was issued, followed by a recommendation:
 - 1978: the FAST programme
 - 1982: the BEP programme
 - 1984: the first RDFP (Research and Development Framework Programme) with specific measures in the spheres of health, agri-foodstuffs and chemicals.

3.4.2. These measures were intended to provide a framework for demonstration projects facilitating the transition between research and marketing. They were implemented cross-sectorally in research and training in basic biotechnology, the aim being to systematically relieve bottlenecks that were blocking the application of genetics, biochemistry and microbiology in both agriculture and industry.

- Discussion of rules and standards.
- A European approach to industrial property rights, providing an opportunity to reconsider the Community patent and its advantages over the European patent.
- Coordinating national and Community policies within a specialised body.

3.4.3. Awareness grew gradually at Member State level, with the UK taking the lead, perhaps because of its intellectual affinity with the United States, reinforced by the ultra-liberal policies of the British government with respect to science.

3.4.4. The first specific programmes to promote biotechnology were set up. The Dechema study was carried out in Germany in 1972; France set up its own special programme in 1982; the Netherlands based its measures on the Schelperoort Report; and Denmark launched a programme in 1987.

3.4.5. More recently, European efforts have borne fruit and the gap with the US has narrowed:

- 'Biotech' companies have developed rapidly, doubling in number and number of staff between 1995 and 1998, and they now occupy a growing number of market niches;
- risk capital companies are being developed and markets adapted to high technology companies are being established;
- an appropriate legal framework with respect to market authorisation (MA) and industrial property rights (IPR) is being established at European and/or national level.

3.5. *Community research funding policy*

- regulatory basis for Community action and the RTD&Ds.

The Single European Act in 1989 was the first piece of legislation to establish Community competence in the sphere of research by codifying rules and principles for action and coordinating intervention mechanisms; the framework programmes established on this basis set out scientific and technological objectives and broadly define the measures to be taken to achieve these objectives, which must complement action taken by the member states.

- biotechnology was a key element of the 4th and 5th RTD&Ds (framework programmes for research, technological development and demonstration activities) of the European Community.

Biotechnology is also an important part of the proposal relating to the 6th RTD&D. However, the Committee feels that the scope of research should not be too narrow, e.g. restricted to medical applications only, but should also include foodstuffs, fine chemicals and the environment.

Work under the 4th RTD&D was intended to focus on improving basic biological knowledge of living systems (the 'cell factory', genome sequencing). Some projects are on a shared cost, others on a concerted action basis. SMEs are crucial in this area and so their involvement has been encouraged.

- evaluation data.

Implementing these programmes has led to the setting up of 'industrial platforms', which are defined as groups of companies involved in specific technology projects; this has made it possible to promote collaborative efforts

between research and industry, to facilitate contacts between SMEs and researchers, to better identify certain areas of interest for industry and to bring about broader participation of companies in these RTD&Ds. The competitiveness of these high-risk — and sometimes high-profit — companies has often been stymied because the social and legal framework tends to discourage risk-taking and business start-ups.

- developing a European research agenda.

3.6. *Legal framework for developing biotechnology*

- What precautions should be taken and limits set so that research does not endanger researchers themselves and/or human beings and the environment?
- What specific framework should be set up for in vivo studies, whether human or animal?
- Where does free access to new knowledge end and researchers' right to legal protection for their discoveries begin?
- These questions are very important since we are talking about the very sensitive area of the genetic heritage of plants, animals and humans, which is the memory and history of the species.
- Because progress is very rapid, in terms of genetic engineering possibilities, i.e. applications, it is difficult to keep track of the threshold between knowledge and research.
- There are considerable economic and financial implications in this sphere, which affects all questions of industrial property.
- One specific issue is that of pathogenic micro-organisms, their manipulation, and protection of the general public.
- These factors explain the significance of the ethical implications of biotechnology. The purpose of the ethical debate is to draw up a framework of reference and this involves deciding on the dividing line between what is morally acceptable and what is not.

3.7. *In vivo studies and market authorisation*

3.7.1. The role of government is to enact adequate rules and application provisions to protect research and researchers, and to ensure that there is no risk of toxic substances or

pathogens escaping into the environment and that in certain cases a cautious approach is adopted in developing clinical trials.

3.7.2. As a general rule it is recommended that 'good manufacturing practice' be observed when using 'low-risk' recombinant organisms, a principle that has been the basis for national safety rules in most OECD countries.

3.7.3. This approach has usually been maintained in the health sphere, whereas in agricultural applications (GMOs), precautions and a special framework are required as soon as substances are being handled outside of a closed environment and there is therefore a risk of release into the environment. The European directives adopted fall into two categories: the first type establish a framework for the safety measures applied in laboratories and industry, while the second specifically concern genetically modified organisms. They also reflect not just a difference in terms of government and public sensibilities, but also an objective difference in terms of risk. Medical applications of biotechnology have become widely accepted alongside non-genetic techniques, whereas this is clearly not the case for GMOs. The problem is that in the United States this distinction is not made: although genetic engineering applications require special attention in view of the scientific, economic and risk assessment factors, they are all covered by the standard legal procedures administered by the big federal agencies: the FDA (Food and Drugs Administration), the EPA (Environment Protection Agency), the Department of Agriculture, NIH, etc. The situation in Japan is the same.

3.8. *Marketing authorisations*

In all countries, clinical trials comprise three successive phases which are lengthy and laborious. This illustrates the long-term and risky nature of the investment required to research and develop an active substance, and means that the sometimes premature declarations of success on the part of biotechnology companies should be treated with caution.

3.9. *Industrial property rights and the concept of patenting living organisms*

3.9.1. The rapid development of science and technology, and the proliferation of research and discoveries, are promoting changes in industrial property law because in addition to traditional concerns, questions are being asked about the nature of innovation and whether it is moral or immoral to patent a given development.

3.9.1.1. Property rights are intended to be international, so as to protect inventions as effectively as possible. Agreements on intellectual property rights in the business context establish a set of rules, some of which explicitly concern biotechnology.

3.9.2. In addition to the World Intellectual Property Organisation (WIPO), there is the European Patent Office (EPO), which only provides for a joint patent issuing procedure, with different application procedures remaining at national level.

3.9.2.1. A single Community patent must therefore be introduced without delay.

3.9.3. The main difference between European and US patent law is that in the United States only the original inventor has the right to take out a patent, rather than the first applicant.

3.9.4. Positive law and patentability in biotechnology

Three levels have to be considered: national, European and global. European law takes precedence over the other levels, since a European directive prevails over national law, which must conform with the directive.

3.9.5. There is no doubt that US decisions and the position of the European Patent Office, which obviously bases itself on the provisions of the European Patent Convention, have complicated the situation against a background of intensified economic competition. America has a competitive advantage, which may be an obstacle to innovation in Europe or even encourage relocation of European research activity. There is fierce global competition in the life sciences sector between American and European research laboratories and a race to protect discoveries; this can be confirmed by considering applications lodged with the EPO.

3.10. *The European directive*

After many setbacks, Directive 98/44/EC of the European Parliament and of the Council of 6 July 1998 now stipulates that a clear distinction must be drawn between discoveries that are by their nature unpatentable and inventions that are. Thus the human body, at any stage in its formation or development, including germ cells, cannot be patented. The directive sets out certain exceptions based on considerations of public policy and morality.

These are:

- human cloning processes;
- processes for modifying the germline genetic identity of human beings;
- use of human embryos for industrial or commercial ends;
- processes for modifying the genetic identity of animals that cause them unnecessary suffering.

The directive tasks the European Group on Ethics with evaluating the ethical aspects of biotechnology, e.g. by fixing the scope of protection granted, taking many of the European Parliament's concerns into account. This directive should have been transposed into Member States' national law by 30 July 2000. It has many implications, given its binding nature, both in terms of the European Patent Convention and at international level.

3.11. *Biotechnology and bioethics*

The Committee again refers to its opinion 'Science, society and the citizen in Europe' ⁽¹⁾.

3.11.1. Since the 1975 Asilomar Conference, a large number of bioethics committees have addressed issues relating to all life science studies or medical applications that are likely to pose problems of respect for human dignity, the right of consent or the principle of non-discrimination. Such committees will now have a significant influence on positive law because they provide answers to often anxious questions from the public and because, since their pronouncements are consensus-based, they express the state of the 'collective conscience' on bioethical problems.

3.11.2. In 1997 the International Bioethics Committee (IBC) drew up the Universal Declaration on the Human Genome and Human Rights.

In 1997 the Council of Europe drew up the 'Convention for the protection of human rights and dignity of the human being with regard to the application of biology and medicine: Convention on Human Rights and Biomedicine'.

⁽¹⁾ OJ C 221, 7.8.2001, p. 1.

3.11.3. Since 1998, the European Group on Ethics has regularly issued opinions on Community directives or regulations. The 'doctrine' evolving from these opinions is analogous with that of the Council of Europe, with prime importance placed on human dignity, and on banning patents on the human body, IPRs, reproductive cloning, etc.

3.11.4. The international approach to these bioethical questions demonstrates that an international awareness, also at European level, is evolving with regard to these many and very vexed issues.

3.11.5. But questions need to be asked about the emergence of a bioethics law that reflects both modern value systems and a perceived need to erect safeguards in the path of scientific progress.

3.11.6. As the chairman of the European Group on Ethics noted in a recent statement: 'There surely cannot be a level playing field between an all-powerful and prevailing science, even if it is contested, and a disarmed and uncertain ethical stand, even if it is strongly represented in the political debate' (1).

3.12. *Biotechnology and public opinion*

3.12.1. It is difficult to discern a single global public opinion about the implications of biotechnology; cf. the divergence between American and European consumers on GMOs.

3.12.2. Sensitivity to certain issues varies between countries depending on philosophy, religion or historical experience (cf. the Nordic and Mediterranean countries).

3.12.3. There are some points of convergence, however:

- People have a keen interest in and awareness of biotechnology applications. In Europe, public opinion is split between hope and anxiety.
- Europeans consider the benefits to outweigh the risks with respect to developing biotechnology for health purposes, including genetic diagnostics. On the other hand, public opinion in Europe is unfavourable towards

transgenic foodstuffs. Other applications — such as fine chemicals production and bioremediation — are less controversial.

- Another trait that seems to be typical of the public debate in Europe generally is the low level of education and information of ordinary people. This is exacerbated by the timid and overcautious, or abstruse, debate conducted by most researchers, or by pseudo-experts.
- Only if all people become engaged in the ethical and political debate on biotechnology can there be smooth progress without the upheavals and polemic generated throughout Europe by the GMO debate.

4. **Specific comments**

4.1. *Challenges*

4.1.1. To mobilise research so as to capitalise on the opportunities provided by new and traditional technologies.

4.1.1.1. Plant transgenesis offers many potential benefits: a wide range of applications, meeting new needs, reducing the use of phytosanitary products and the possibility of developing new products.

4.1.2. To harness the economic benefits of GMOs while conforming with the European agricultural model.

4.1.2.1. Farmers must be guaranteed access to these new techniques, but they should maintain some independence from agrochemical companies while assuming the responsibility that falls to them in this connection.

4.1.3. To provide a response to the legitimate concerns of consumers and the general public in Europe. The technical and economic aspects of research and research findings must be explicitly separated in the minds of the general public.

4.1.3.1. The European Union must allow its consumers to benefit from the potential of transgenic techniques by providing guarantees of the safety, origin and nature of food products.

(1) Ms Lenoir, President of the European Group on Ethics, EGE opinion, 1998.

4.2. Strategy

4.2.1. To create a context in which consumer support can be won.

4.2.1.1. This strategy means dispelling fears that are sometimes unfounded, offering a choice of products and involving consumers and the general public in the debate.

4.2.2. To manage the use of biotechnology.

4.2.2.1. The European Union must master the scientific aspects of genetic engineering to ensure that discoveries are used for the maximum benefit of people.

4.2.3. To clarify responsibilities.

4.2.3.1. Public authorities, businesses, farmers and consumers must be made accountable in the spheres that are relevant to them: the precautionary principle must prevail ⁽¹⁾.

4.2.4. There must be a strategic vision of the life sciences and biotechnology in the context of a knowledge-based Europe.

4.2.4.1. The ESC considers the task of informing the general public of the European Community regularly and creatively about developments and the pace of progress in life sciences and biotechnology to be of paramount importance; in the medium and long term this is certainly consistent with the key Community objective of establishing a knowledge-based society.

4.2.4.2. Within the above framework, management of the relationship between European society and life sciences and biotechnology must be consistent with the Community action plan on learning which is in the pipeline, a plan that is based on the principle of life-long learning and its development using information technologies.

4.2.4.3. The action plan will require various integrated Community policies in the sphere of education, in particular:

- measures to introduce a school curriculum that is more open to the life sciences and biotechnology;

- efforts to remove obstacles that prevent European citizens having access to this knowledge and the ethical code relating to it.

4.2.4.4. The Committee believes in particular that obstacles can be removed and that this requires a system of lifelong learning which gives everybody the means of interpreting information and checking the validity of their knowledge ⁽²⁾; this will enable all Europeans not only to access and acquire knowledge, but also to be involved in:

- assessing the validity of relevant knowledge;
- monitoring its scope and rate of application;
- defining a bioethical code in this sphere.

4.2.4.5. In any event, the Committee expects the Commission strategy to provide for:

- responsibility for developing pilot education programmes to inform the general public about progress achieved in the life sciences and biotechnology, and the avenues opened by these advances;
- a minimum obligation to coordinate related measures taken at national and European level in order to establish and apply certain rules in research, both in the public and private sector.

4.3. General principles

- Prevention and precautionary principle: the precautionary principle must prevail and be applied at every stage, also in the context of biomonitoring. This principle must be recognised and applied at international level.
- Information and transparency: transparency at every stage by providing information makes it possible to dispel fears and include the general public in the democratic process.
- Accountability: measures must be taken and those who take decisions about the production of an approved GMO must bear the cost of damage or inconvenience.

⁽¹⁾ See ESC opinion, OJ C 268, 19.9.2000, p. 6.

⁽²⁾ OJ C 157, 25.5.1998.

4.4. *Proposals*

4.4.1. *Evaluate*

4.4.1.1. Agree on an internationally recognised and accepted definition of the precautionary principle.

4.4.1.1.1. The meaning and scope of the precautionary principle must be better clarified at Community level, with the aim of establishing a single definition in order to facilitate application of the principle and avoid disputes and problems of consistency between national, Community and international rights.

4.4.1.2. Ensure the legitimacy of committees and European expert committees by guaranteeing independence, multidisciplinary and transparency.

4.4.1.2.1. The human, financial, material and logistical resources of these committees must be strengthened so that cases can be properly evaluated. If the consultation process is broad-based and collective it will be independent. Participation of qualified representatives of the social groups involved in the debate will provide assurance with respect to procedures and the appointment of experts.

4.4.1.3. Improve the method of evaluation and carry out studies on:

- environmental impact: experts must have exact information about the environment in which GMOs are to be introduced in order to eliminate grey areas in environmental issues;

- agri-foodstuff and industrial procedures.

4.4.1.4. Widen committees' evaluation remit.

4.4.1.4.1. Civil society requests information on the impact of GMOs on the environment, fauna, animal stock, nutritional risks and real economic gains.

4.4.1.5. Formalise the global and multidisciplinary approach.

4.4.1.6. Regularly evaluate issues and ensure that decisions are reversible.

4.4.1.7. The various committees must be interlinked and there must be a system for socially validating their work.

4.4.1.8. Harmonise and guarantee the complementarity of evaluation and authorisation procedures.

4.4.1.8.1. It is crucial that agreement be reached on evaluation methods in order to avoid incoherence and to check the compatibility of evaluation and decision-making criteria.

4.4.1.9. Strengthen the role of the Council of Ministers as the ultimate decision-maker.

4.4.2. *Encourage*

4.4.2.1. Ensure that the European Union is involved in GMO research.

4.4.2.1.1. Transgenesis and genomics are scientific and economic challenges for public and private research, agriculture and the food sector, independence from international groups.

4.4.2.2. Open new fields of research:

- respond to questions still being raised about GMOs: detection of GMOs with fixing of European standards; environmental assessment;

- give priority to quality initiatives: Europe must give priority to strategies designed to improve food quality in order to maintain its autonomy, ability to choose and food heritage.

4.4.2.3. Guarantee the status and independence of the European Community by promoting a balance between spheres of research.

4.4.2.3.1. The European Union must encourage the development of a balance between traditional research, alternative solutions and understanding of the genome by discussing issues of biosafety in more detail.

4.4.2.4. Involve developing countries in the opportunities provided by transgenetic research.

4.4.2.5. Protect the assets of European intellectual property.

4.4.3. *Monitor, hold accountable, control*

4.4.3.1. Practise and step up biomonitoring.

4.4.3.1.1. Biomonitoring is a system for biological monitoring of plant cultures produced from genetically modified organisms that are on the market.

4.4.3.2. Establish an intermediate stage between field studies and authorisation for national cultivation by creating special geographical zones where the impact of GMO can be evaluated under real conditions.

- Collect and collate basic agronomic and environmental reports.
- Take specific measures.
- Establish new methods of managing cultivation practices.
- Study the impact of GMOs on the environment, health and farming practices.

4.4.3.3. Guarantee farmers access to new and traditional techniques, and allow them to remain autonomous vis-à-vis funding bodies.

4.4.4. Define responsibilities

- European institutions.
- State: public authorities must define responsibilities before decisions are taken and shoulder these responsibilities once decisions have been taken.
- Experts, whose advice supports decision-making processes.
- Industry, which must meet public expectations in respect of strategies, transparency and guarantees.
- Farmers: a general debate must take place and legal measures be introduced to clarify the responsibility of producers.
- Consumers: must be provided with choices, educated and informed about GMOs and their applications.

4.4.5. Inform and provide choice

- Aim to achieve transparency: this applies to every stage in research relating to food applications.
- Ensure clear and legible labelling and traceability for all agricultural and food products in the European Union containing GMOs.

— Establish traceability: a safety feature that is relevant for every stage of production.

— Implement statutory labelling provisions:

- set a threshold beyond which production will be considered GM or non-GM;
- adopt approved analytical methods and harmonise at the international level.

— Supplement European legislation:

- adopt Community rules on:
 - seeds
 - animal feedstuffs containing GMOs
- Label intermediate products.

— Discuss the future of non-GMO production.

— Recognise consumer expectations at the international level: Europe must call for risk-benefit criteria to be adopted in all negotiating forums: Codex Alimentarius Commission, the World Trade Organisation (WTO) and the Biosafety Protocol.

— Continue the debate:

- establish an ongoing debate on scientific advances;
- define a communication strategy to enhance the coherence and transparency of communication policy;
- initiate and broaden discussions;
- sensitise and educate young people about life sciences;
- provide objective information: government must guarantee the plurality of the debate.

5. Conclusions

5.1. An extraordinary range of issues is at stake — scientific, financial, legal, ethical and political — in relation to biotechnology applications.

— Current breakthroughs concern only the developed countries: the United States, Europe, Japan and, in the future, parts of Asia.

- The developing world is an onlooker, for reasons that have less to do with scientific knowledge than with the amount of financial resources that are needed. This situation is all the more worrying since developing countries are also affected by the need to increase food resources, by health requirements and by problems of pollution and the environment.
- It is very important that this global dimension of biotechnology should not be obscured by the debate between developed countries. The ethical debate is driven above all by the question of respect for human dignity in the face of advances in scientific knowledge and of economic competition. It must also address the issue of solidarity as an essential criterion: solidarity between rich and poor countries and solidarity with regard to the accepted responsibility to protect the environment, which will require more public funding to combat poverty and food insecurity.

Brussels, 21 February 2002.

5.2. It is essential that the EU play its part: its voice will only be heard if it is a major player in the sphere of biotechnology and it is imperative that there should be greater awareness in the EU of the implications for competitiveness, growth and job creation. Thus the various stakeholders must mount a strong and sustained effort to cooperate, and there must be a shared strategy and instruments, such as a Community patent. A creative approach is called for, with greater emphasis than before on stimulating and providing incentives and opportunities. In conclusion, ensuring the EU's place in the biotechnology sector means acting with determination and resolve.

5.3. The Committee is prepared to play a role here by providing information, initiating an ongoing debate, ensuring a rational choice of objectives to promote the creation of jobs and new businesses and maintaining links with civil society.

The President
of the Economic and Social Committee
Göke FRERICHS

Opinion of the Economic and Social Committee on a 'Sustainable Development Strategy: Signals for Barcelona'

(2002/C 94/08)

On 29 November 2001 the Economic and Social Committee, acting under Rules 11(4), 19(1) and 23(3) of its Rules of Procedure, decided to draw up an own-initiative opinion on a 'Sustainable Development Strategy'.

The Sub-Committee on a Sustainable Development Strategy, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 8 February 2002. The rapporteur was Mr Cabra de Luna.

At its 388th Plenary Session held on 20 and 21 February 2002 (meeting of 21 February), the Economic and Social Committee adopted the following opinion by 95 votes in favour, 11 against and 21 abstentions.

1. Executive Summary

1.1. The Barcelona European Summit will have a critical importance for Europe's advance towards becoming the world's most dynamic, competitive sustainable knowledge-based economy⁽¹⁾. The ambitious objective set by the Lisbon Summit in 2000 was to be reached in ten years. The Barcelona Summit is an essential stage at which to take stock and review policies.

1.2. This is all the more so because the Lisbon strategy has been widened, as decided by the Göteborg Summit, to include the dimension of sustainable development, implying very long-term ambitions in shaping the good life for both present and future generations.

1.3. Since Lisbon, the world has seen new threats to our security and to our options for shaping the future. Our responsibility for global sustainable development has increased dramatically.

1.4. The Barcelona European Summit will be confronted with a twin set of issues: how to ensure progress towards the Lisbon and Göteborg summit objectives and at the same time lay the basis for the Union's active participation in global sustainable development

1.5. The Economic and Social Committee (ESC) emphasizes the determinant importance of the Barcelona Summit. The real progress towards reaching the Lisbon objectives is obviously and alarmingly inadequate. The EU is not keeping up the pace foreseen as needed for reaching the position of a region leading globally in competitiveness and skills.

1.6. Likewise alarming is the inadequate progress in making sustainable development a real overriding vision for the European Union. The very clear political statements of the Göteborg Summit have become background features, not front-line guiding principles.

1.7. The ESC finds this lack of progress deeply unsatisfying. It is not only seriously hurting the Union's long-term development and position, it is also hurting the image of the Union itself in the eyes of its citizens. The Lisbon strategy and the Göteborg decision on sustainable development have both clearly given added value to the Union's expectations of itself.

1.8. The ESC calls on the Barcelona Summit to reinforce the action programme and time-table of the Lisbon strategy and to ask the individual Councils to consider what additional measures are necessary to reach the overriding objective of becoming the world's most competitive economy. The Councils should report on this to the Seville Summit in June 2002.

1.9. The ESC calls on the Barcelona Summit to re-emphasise the importance of sustainable development as a new vision for the Union, and to instruct the relevant Councils to speed up implementation of legislation and other measures for progress with sustainable development. The ESC is particularly worried that the calls from the Göteborg Summit for 'policy coherence' in the field of sustainable development have not achieved results, whether in the EU institutions or member States.

1.10. The ESC calls on the Barcelona Summit to fix the basic framework for the Union's contribution to global sustainable development, in particular with regard to the Euro-Med region and the World Summit in September this year.

(1) European Council Lisbon of 23 and 24 March 2000 — Conclusion of the Presidency Point I-5 (COM (2002) 14 final — Executive summary paragraph 1).

1.11. Specifically, the ESC calls for urgent new measures in the following areas, in order to safeguard the Union's progress towards becoming a leading competitive region:

- a) There is urgent need of new initiatives for enhancing employment, particularly among the younger generations. The ESC calls on the Barcelona summit to re-emphasise the need for national action programmes for job opportunities and training for the young bearing in mind the positive role which these schemes can have.
- b) Quality in employment is an issue of renewed importance. The ESC calls on the Barcelona summit to confirm quality in employment as a key aspect of Union and national employment policies, and to ask the Commission to prepare an action plan for quality in employment, as well as for countering new health and safety risks in working life.
- c) Cohesion: the ESC acknowledges the important contribution structural policy has played in improving Social and Economic Cohesion since 1988. Cohesion is a key factor in Sustainable Development and the ESC calls on the Barcelona Summit to emphasize the importance of pursuing an active degree of cohesion throughout the EU following enlargement and completion of the present funding period in 2006.
- d) Market Opening: The ESC calls on the Barcelona Summit to move ahead with measures to open up markets as proposed by the Commission. The ESC wishes the Summit to launch an assessment of the social, environmental and employment consequences of the liberalisation of public services ⁽¹⁾.
- e) Environment: The ESC finds that the Union must develop more efficient methods for delivery of measures in the environment field, in particular in respect of greenhouse gas emissions, use of natural resources and food safety. What is needed nowadays is less new ideas than the capacity to make existing ones work.
- f) Investing in knowledge: The Lisbon strategy is based on high ambitions as to investments in human resources. The ESC has taken note of the progress made by the EU Education and Research Councils. The ESC particularly points to the need for broad tripartite agreements concerning life-long learning and training, in order to secure both access and financing.
- g) Investing in Research and Development is of crucial importance in the Lisbon strategy, all the more so since Europe has been lagging behind both the USA and Japan for long periods. The EU Research Council wants an increase in spending on research to increase from present 1,9 to 3 per cent GDP during this decade. The ESC would like to see plans, including education and training, for increasing the numbers of new scientists which such projections require.
- h) The ESC finds that efforts for supporting entrepreneurship and small business in particular are still inadequate in relation to the major contribution they can bring to reaching the Lisbon objectives. The ESC strongly endorses the Commission's call to reinforce action along all ten lines of the European Charter for Small Business.
- i) Decision-making: The ESC strongly supports the Commission in its call to the Council to make decision-making more effective and bridge the delivery gap between the Lisbon targets and actual achievements.
- j) The ESC reaffirms, as the Göteborg Council also had noted, that sustainable development can only succeed if it is based on widespread public understanding and support throughout all elements of civil society, sustained by an active process of consultation and dialogue. There are still considerable shortcomings in this area and the Committee has not noticed any improvement in the situation since the Göteborg Council. It is itself contributing to this process and welcomes support for its work in this respect.

⁽¹⁾ Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service — OJ L 15, 21.1.1998. Directive 98/30/EC of the European Parliament and of the Council of 22 June 1998 concerning common rules for the internal market in natural gas — OJ L 204, 21.7.1998. Directive 96/92/EC of the European Parliament and of the Council of 19 December 1996 concerning common rules for the internal market in electricity — OJ L 27, 30.1.1997. Directive 97/51/EC of the European Parliament and of the Council of 6 October 1997 amending Council Directives 90/387/EEC and 92/44/EEC for the purpose of adaptation to a competitive environment in telecommunications — OJ L 295, 29.10.1997. Directive 2001/12/EC of the European Parliament and of the Council of 26 February 2001 amending Council Directive 91/440/EEC on the development of the Community's railways — OJ L 75, 15.3.2001.

k) The ESC underscores the importance of the Social dialogue, and active participation of organized civil society, if the objectives of the Lisbon and Stockholm summits are to be reached.

2. General comments

2.1. *The priorities of the Commission*

The Committee wishes to draw attention to the Commission's priorities in areas where the Barcelona European Council is set to push for progress:

- To continue to develop employment policies, paying particular attention to active labour market reforms.
- To reform and remedy existing deficiencies in the main network industries and speed up integration of the financial markets.
- To increase investment in knowledge in order to safeguard future competitiveness and jobs.

2.2. *The priorities of the Spanish Presidency*

One of the priorities of the Spanish Presidency for its six month term of office is to give a fresh impetus to the Action Plan adopted at Lisbon, in particular by setting in motion liberalisation measures in certain strategic sectors, including:

- energy;
- telecommunications;
- transport;
- financial services;

and developing an employment and training policy capable of keeping pace with Europe's transformation into the most dynamic and innovative economy in the world on the basis of the principles of sustainability.

2.3. *The situation as regards employment and training in the EU*

The Committee supports moves to create quality employment as an objective of the European employment strategy.

Because they are unable to respond to the demands of today's society, current education systems no longer meet citizens needs. Citizens must have lifelong access to education and training, both in the interests of flexibility and to enable them

to adapt to the requirements of a rapidly changing labour market. The Commission Memorandum on lifelong learning lists six key objectives for consideration and discussion in relation to implementing and developing this important concept. The ESC welcomed these objectives in opinion 1121/2001, and believes that they remain valid today:

- new basic skills for all, necessary for participation in the knowledge society;
- more investment in human resources;
- innovation in teaching and learning;
- valuing learning;
- rethinking guidance and counselling on learning opportunities;
- bringing learning closer to home (e-learning could be a very useful tool).

2.4. *Social and cohesion aspects as investment for development*

The first principle of the Rio Summit states that human beings are at the centre of concerns for sustainable development. The Lisbon approach took this basic idea and translated it to a European context: 'people are Europe's main asset, and should be the focal point of the Union's policies'.

2.4.1. *Poverty and social exclusion*

Combating these problems, which are common to all Member States, is fundamental to achieving sustainable development. Although some progress has been made, much still remains to be done.

In adopting the European Social Agenda the Nice European Council went some way towards achieving the Lisbon objectives. One of the key objectives of the Social Agenda should be to incorporate social policy in the wider context of the European sustainable development strategy.

The fight against poverty and social exclusion should focus on:

- creating the economic conditions for greater prosperity through higher levels of growth and employment;
- improved implementation of the European employment strategy;
- maintaining and improving the quality of work. Not just more jobs, but better jobs;
- creating quality indicators for work and combating social exclusion that truly reflect these concepts.

- continuing the use of Structural Policy as a means of support for those regions in greatest need.

In this sphere, as in others referred to in this opinion, the social economy (cooperatives, mutual societies, associations and foundations) can play an important role. Incentives should be put in place to encourage them to do so.

2.4.2. An ageing population

In all Member States, the increase in life expectancy and the falling birth rate are shifting the balance between people of working age and the rest of the population. The Committee would point out that this demographic trend towards an ageing population is a worrying matter which must be addressed with some care.

There are three basic problems:

- The need to guarantee the financial viability of the pensions system.
- The inevitable increase in demand for health services.
- The possible decline in economic growth.

Measures must be adopted to avoid social discrimination between the generations and increased poverty among the most elderly.

These measures should be aimed at:

- increasing employment in line with the Lisbon strategy (60 % for women and 70 % for men);
- promoting lifelong training;
- creating an active family support policy at national level that provides real social and economic choices in order to stimulate the birth rate in the Member States.

Although it is not yet known how enlargement will affect the average age of workers, in view of the significant increase in population that will result from the applicant States' accession it is clearly an important issue that must be addressed.

2.5. The environment

2.5.1. Combating climate change

In order to comply with the Kyoto objectives, we must have up-to-date information on the situation in each country so that the appropriate action may be taken. A standardised series of measuring instruments must be developed for use throughout the Community.

As previously stated, economic growth is essential. But it must be uncoupled from high energy consumption.

Energy efficiency must be promoted across all sectors of the European economy. We must also recognise that some areas have already made efforts in this direction.

Renewable energy sources must be promoted more actively and effectively than in the past, and the necessary measures for a task of this scale must be adopted.

Emissions of greenhouse gases from transport are growing at a faster rate than emissions from any other source. Action is needed, inter alia in the form of prices which reflect the real costs involved, further development of intelligent traffic management systems, improved infrastructure use and construction of new infrastructure together with moves towards less environmentally damaging transport modes. The measures proposed by the White Paper on transport policy⁽¹⁾ are certainly a step in the right direction towards sustainable transport.

2.5.2. Sustainable use of natural resources

The loss of biodiversity and the corresponding reduction in genetic resources are irreversible facts, with clear repercussions for future generations. Policies which have an unacceptable impact on natural resources (such as some types of fishing, arable and livestock farming and industry) must be reformed.

Reform of the CAP must take account of economic, environmental and social objectives. The first steps have already been taken, for example 'agri-environmental' measures that have helped preserve biodiversity and reduce water pollution. It is clear that measures to restore consumers' confidence in food are also needed.

To improve the management of natural resources in the long-term we must have information on their current situation. This will enable us to detect much more easily whether consumption is exceeding the resource's capacity to regenerate.

A balance must be maintained, to ensure that natural means of ensuring sustainability continue to function. We must formalise effective arrangements for cooperation between the different sectors of the community, SMEs, cities, municipalities and organised civil society on the one hand, and the scientific community on the other, including the research community and development institutes.

⁽¹⁾ COM(2001) 370 final.

An action plan must be launched to improve and simplify the current environmental rules. New legislation should be kept to a minimum, and efforts concentrated on ensuring compliance with the existing rules.

2.6. *The opinion and support of European citizens*

Society as a whole does not have sufficient information on the objectives and political measures adopted at Lisbon and Göteborg. There must be an effort to raise public awareness and encourage citizens and the institutions of civil society in which they may be involved to have their say on these essential policy questions and their impact.

We must promote a wide-ranging public debate involving organised civil society. The media must be invited to participate, so that they can take this civil dialogue to the citizens and thereby help to ensure that sustainable development is achieved in a democratic manner. The governments, municipalities and various bodies that make up civil society, as well as the Community institutions, must also be involved.

The Internet could be an extremely effective means of informing citizens about national sustainable development plans and strategies and channelling their feedback. This type of consultation must be accompanied by seminars with experts, reports and specific consultations, open debate and other ways of involving the public.

In this process of communication with society, both the European ESC and similar bodies at national level (the consultative bodies of the Governments of the various Member States) obviously have a fundamental role to play.

3. **Specific comments**

3.1. *The indicators*

While there is a general consensus on the need for a sustainable development strategy, regular information on its implementation and the progress achieved is equally

important. In this way the effectiveness of the policies implemented by the Member States can be assessed.

It is essential to seek and identify representative and balanced indicators. The Barcelona Summit must adopt indicators for structural reform of the EU, so that the impact of the reforms in each country can be measured and the most appropriate policies and instruments for each country used.

Data must be selected, compiled and processed in an up-to-date and rigorous manner. There is thus a need for a coherent system to enable it to be interpreted clearly. Eurostat must be ready to respond to this need, and if it is not it must make the necessary preparations.

3.2. *A competitive system of production*

Sustainable development offers opportunities for entrepreneurship and job creation in sectors which have good long-term prospects, but require a high degree of competitiveness. There is a need for reforms which increase the efficiency and productivity of production systems.

We must embark upon an ambitious plan of liberalisation and increase the flexibility of the European economy, stepping up structural reform, while also taking account of the social aspects in the interests of equality. At the forthcoming Spring summit, it will be more important to make steady progress than to introduce innovative new approaches.

At Barcelona we must evaluate the progress made, consolidating those policies and measures that are going well and identifying those that are not working; priority can then be given to continuing the former. A short deadline (e.g. one year) should be set to re-assess the situation.

3.3. *Meetings prior to the Barcelona summit*

The ESC welcomes the proposal of the Spanish Presidency to hold discussions, with the active involvement of the ESC and other civil society organisations, prior to the Barcelona Summit.

It also supports the meeting with the social partners in the context of the social dialogue.

Brussels, 21 February 2002.

The President
of the Economic and Social Committee
Göke FRERICHS

APPENDIX

to the Opinion of the Economic and Social Committee

The following amendments, which received more than one-quarter of the votes cast, were defeated in the course of the debate:

Point 2 — General Comments (point 2.1 to 2.6)

Delete.

Result of the vote

For: 34, against: 54, abstentions: 14.

Points 2.1, 2.2, 2.3 and 2.4.2

Delete.

Reasons

Not relevant to the subject

Result of the vote

For: 37, against: 67, abstentions: 8.

Point 2.5.2**— second paragraph:**

Delete the second sentence.

— third paragraph:

Delete.

Reasons

The European Environment Agency has produced a report to this effect: the information is available.

Result of the vote

For: 38, against: 55, abstentions: 10.

Point 3 — Specific Comments (point 3.1 to 3.2)

Delete (keep point 3.3).

Result of the vote

For: 34, against: 71, abstentions: 5.

Point 3.1— **second paragraph:**

Delete the second sentence and replace with the following:

'The Committee criticises the fact that the environmental indicators in the documents in question (total of seven) are still inadequate.'

— **third paragraph:**

Delete.

Result of the vote

For: 40, against: 62, abstentions: 8.

Opinion of the Economic and Social Committee on the 'Proposal for a Directive of the European Parliament and of the Council amending Council Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work'

(2002/C 94/09)

On 13 September 2001, the Council decided to consult the Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 30 January 2002. The rapporteur was Mr Etty.

At its 388th Plenary Session of 20 and 21 February 2002 (meeting of 21 February), the Economic and Social Committee adopted the following opinion by 62 votes to 14 with three abstentions.

0. Introduction

0.1. In March 1999 the Economic and Social Committee adopted an Own-initiative Opinion on Asbestos in which, inter alia, it called for a ban on the first use of all asbestos and better protection for workers and self-employed who are required to deal with asbestos in repair, maintenance, refurbishment, demolition and removal.

0.2. The present Commission proposal for amendments of Council Directive 83/477/EEC is a response to the Committee's call for a review of the existing legislation as well as for new measures for reducing the risk for those exposed to asbestos at work, as noted by the Commission in its Explanatory Memorandum.

0.3. In 1999, the Committee expressed the hope and the expectation that the relevant services of the Commission would be adequately equipped to perform the tasks identified in the opinion. Today there seems to be reason for some concern as regards the financial and human resources required. In this context, mention should also, and once again, be made of the forthcoming enlargement of the EU.

0.4. The Commission proposals testify to the continued interest of the Commission for better safety and health conditions at work, in particular in relation to asbestos. The Committee notes, however, with regret that the Commission seems less concerned about the unintended consequences of the better protection of workers in the EU, such as export of dangerous products like asbestos mined in the EU, and of dangerous work such as the stripping of ships containing asbestos to other parts of the world where governments show less concern for these matters. In the latter case, the Commission must draw the attention of Member States to their responsibility in international organisations such as the IMO and ILO and under the Basle Convention.

1. General remarks

1.1. The ban on marketing and use of asbestos by Commission Directive 1999/77/EC could have allowed for a fundamentally different improvement of the protection of

workers and the self employed⁽¹⁾ from the risks related to exposure to asbestos at work. Taking as its starting point that products containing asbestos are no longer being manufactured in the EU and that, by consequence, workers do not need protection any longer in the pre-manufacturing and manufacturing process apart from the single exemption to the general prohibition (diaphragms for electrolysis), the new instrument could have concentrated on measures to be taken to better protect those people who are still at risk of exposure because they have to deal with existing asbestos products in their work, such as demolition, repair, maintenance, removal and similar activities. Unfortunately, the present Draft Directive does not make such a clean break. It still contains elements which are more appropriate to an asbestos-producing environment.

1.2. It could also have dealt with specific provisions for: health surveillance; registration; and information and training; the risks faced by the self-employed⁽¹⁾; the risks posed to workers (and the population in general) from the second use of products containing asbestos; and improving the recognition of asbestos related diseases as occupational diseases. These are matters which the Commission ought to address through other legal instruments if this Directive is not appropriate.

1.3. The proposal contains several positive elements: it concentrates on workers who will be most exposed in the new situation, it contains simplifications of certain procedures, it introduces a reduction of limit values for exposure, requirements for identification of materials containing asbestos before starting demolition or maintenance, for the provision of proof of competence by firms engaged in this sort of work, and for training of workers. The Draft Directive could be improved by greater clarity as regards the mining of asbestos in the EU. It is also noted that the Commission has not responded to the Economic and Social Committee's proposals on the issue of national registers of buildings and installations containing asbestos.

1.4. After several amendments, the Council Directive of 1983 will become a rather complicated instrument. Therefore, the Committee recommends codification in the near future. A further complication is that certain provisions in the Carcinogens Directive also apply to the Asbestos Directive.

⁽¹⁾ It is noted, following the adoption of this section opinion, that the Commission work programme of 31 January 2002 envisages a 'Proposal for a Council Recommendation on the health and safety at work for the self-employed', to be adopted in February 2002 (Art. 308).

2. Specific remarks

2.1. The Commission should reconsider the proposed replacement of Article 3.3, in particular the provisions regarding work situations involving the removal of asbestos coating, insulation or panelling. Instead of listing individual activities, the exceptions set out in Article 3.3 should be defined by means of a list of criteria. The Committee feels that Articles 4, 15 and 16 should not apply to small-scale work where a risk assessment has established that it does not fall within the category of high-risk activities (whereas the removal of sprayed or loosely bound asbestos, which is very dangerous, obviously does).

2.2. The new notification required by Article 4 (4) must be submitted prior to the start of the changed activities. It should still include all the information set out in Article 4 (2) and should in addition include information about the duration of the demolition, repair, maintenance or removal project, as well as on methods to be taken in order to limit exposure of workers involved.

2.3. Article 5 must contain a general prohibition of all handling of products containing asbestos, with exemption only for demolition, repair, maintenance and removal.

2.4. The proposed new text of Article 6.5 continues to make reference to the mining activities mentioned in the 1983 and 1991 Directives. Apparently, the Commission does not consider mining to be included in the marketing or first use of asbestos. The Committee thinks it has to be. The Commission should clarify this point.

2.5. The text of Article 7 (6), which specifies a particular method for measurement in air, is too specific. The Committee is concerned that some Member States believe the WHO-system laid down in this Article might not be satisfactory and that other methods such as the SEM-EDX method⁽²⁾ should be allowed. So as not to be too specific, the Committee

⁽²⁾ The SEM-EDX (Scanning Electron Microscopy — Energy Dispersive X-ray Analyser) measurement system is a microscopy system which uses a scanning electron beam to visualise the fibres and particles. Depending on the methods/equipment used fibre shapes down to widths of about 0,05 microns can be determined. If SEM is fitted with the EDX system this can be used to determine the elemental composition of fibres with widths greater than 0,2 microns. This enables the analyst to differentiate asbestos from non-asbestos fibres, and also to determine what type of asbestos is present.

recommends that the Article be amended to allow other methods to be used as long as they achieve at least the same level of sensitivity as the WHO-method.

2.6. Article 8 of the Draft Directive proposes that employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of 0,1 fibres per cm³ as an 8-hour time-weighted average (TWA). The Committee believes that this is not consistent with the sort of working practices likely in future, because the work which will expose workers to asbestos is rarely carried out over an eight-hour day. A limit

of 0,1 fibres per cm³ as a 4-hour TWA, which would reduce the exposure levels, would be preferable.

2.7. The content of training (Article 12 a) must be reviewed and renewed periodically.

2.8. The competence requirement for firms engaged in demolition or removal work, called for in Article 12 (b) must be made more specific. The Commission should make reference to the use of nationally-determined criteria, so that there is a clear and concrete standard against which the ability of the firms concerned can be judged. Governments of Member States should develop such criteria in close consultation with the relevant employers' organisations and trade unions.

Brussels, 21 February 2002.

The President
of the Economic and Social Committee
Göke FRERICHS

APPENDIX

to the Opinion of the Economic and Social Committee

During the debate, the following amendment, which received more than 25 % of the votes cast, was defeated.

Point 2.6

Delete point.

Reason

Thresholds for chemical substances encountered in the workplace are always set by reference to an 8-hour period. It is not clear what the effect of using a shorter reference period would be. It could mean either an increase or a reduction in the threshold of 0,1 fibres per cm³. The opinion should therefore refrain from commenting on the threshold.

Result of the vote

For: 39, against: 40, abstentions: 7.

Opinion of the Economic and Social Committee on 'Relations between the European Union and the countries of Latin America and the Caribbean'

(2002/C 94/10)

On 28 February and 1 March 2001 the Economic and Social Committee, acting under the third paragraph of Rule 23 of its Rules of Procedure, decided to draw up an opinion on 'Relations between the European Union and the countries of Latin America and the Caribbean'.

The Section for External Relations, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 28 January 2002. The rapporteur was Mr Gafo Fernández.

At its 388th Plenary Session of 20 and 21 February 2002 (meeting of 21 February), the Economic and Social Committee adopted the following opinion by 92 votes to 2 with no abstentions.

1. Introduction: historical background

1.1. Relations between the European Union and Latin America and the Caribbean began with the creation of the European Economic Community in 1957. They were initially conceived on a predominantly economic, bilateral basis, focusing on trade issues with each Latin American and Caribbean country individually. These early stages were not easy.

1.2. Between 1970 and the early 1990s Europe — meaning the European Union — was preoccupied with digesting its three successive enlargements, which doubled the number of member countries, injected major cultural and economic differences and began to put pressure on the Community's institutions, which had initially been geared to a small number of far more homogeneous countries. Moreover, the energy shocks of 1973 and 1979 forced a process of radical industrial restructuring upon Europe: the massive upsurge in unemployment had to be met with a highly supportive system of social protection which had not originally been designed for such high unemployment levels. As a result, Europe was more inward than outward looking during these years.

1.3. There were however a number of signs of forthcoming change. The first was the signature of the Lomé Convention with the African, Caribbean and Pacific countries, which established a solidarity-based mechanism which, although centred on economic aspects, did comprise an embryonic social dimension. Similarly, the individual EU Member States began to set up trade and cooperation arrangements with a wide range of Latin American and Caribbean nations, boosting Europe's presence in the region — albeit in a piecemeal manner. All these factors resulted in the European Union beginning to shape an outline strategy towards Latin America and the Caribbean, revolving around three core aspects: development cooperation as a key element, together with a number of trade benefits via the Generalised System of Preferences (GSP), and a degree of sub-regional harmonisation

in the way such action was viewed. Similarly, from 1984 onwards regular official relations began to be forged with the countries of Central America — the 'San José dialogue' — and with the Rio Group since 1990, in the wake of the 'Rome Declaration'. The European Union is beginning to see Latin America and the Caribbean as a potential economic and political partner in a globalised world.

1.4. On the Latin American and Caribbean side, under the economic approach of the 1970s, based on an autarkic import substitution policy, Europe tended to be seen as historically familiar, but economically and politically distant. Next came the 'lost decade' of the 1980s, in which the failure of the previous macroeconomic policy coincided with a strong rise in the cost of money. This, together with very high external public debt levels throughout the region in proportion to export income, resulted in international payments moratoria which denied the region access to new public or private funding. At the same time many Latin American and Caribbean countries became locked into a vicious circle of authoritarian rule, civil unrest and, in many cases, the emergence of guerrilla movements. The outcome was a complete breakdown of democratic coexistence, with no opportunity to open a social dialogue which might find some way out of the situation.

1.5. The picture altered radically in the early 1990s. Firstly, Portugal and Spain's entry into the EU in 1986 increased European political awareness of the region. Secondly, the Treaty of Asunción, which set up the Southern Common Market (Mercosur), opened up new prospects for the creation of regional integration machinery which could indirectly reinvigorate similar blocs already in existence — at least on paper — such as the Andean Pact or the Central American Common Market. Thirdly, the success of Argentina's convertibility plan, together with Chile's earlier experiment in liberalisation, shifted the emphasis to macroeconomic stability and opening up to the private sector key areas of the economy, previously reserved exclusively for the public sector. This new economic approach generated major opportunities for European businesses, principally because macroeconomic

discipline and economic liberalisation policies were catching on across the region. Fourthly, and of particular importance from the human and social point of view, the consolidation — or return — of democracy in numerous countries and the peace agreements reached with many guerrilla movements marked the end of decades of insurrection and latent civil war. Latin America and the Caribbean, having come to terms with themselves, created an atmosphere in which they could open up to the rest of the world.

1.6. These developments, in which the two sides grew closer together, culminated in the first summit of Heads of State and Government of the European Union and Latin America and the Caribbean in Rio de Janeiro in June 1999. A final declaration was adopted establishing a partnership between the two regions, and an action plan was formulated to flesh out this partnership. The action plan is to be reviewed at the second summit to be held in Madrid, in conjunction with the Spanish EU presidency in the first half of 2002. The partnership is based upon the following:

- i) greater political dialogue;
- ii) sound economic and financial relations based on a comprehensive and balanced liberalisation of trade and capital flows;
- iii) dynamic cooperation in key sectors, especially in the educational, social and cultural fields and in scientific and technological development.

1.7. The fact that civil society was associated with the process was a particularly important factor in the success of the Rio summit. The meeting of civil society representatives from the EU, Latin America and the Caribbean, held under ESC auspices in Rio, allowed the views and concerns of civil society to be heard in the course of the summit of Heads of State and Government, and to be adequately reflected in the final declaration. The ESC's own-initiative opinion on relations between the European Union, Latin America and the Caribbean: socio-economic interregional dialogue figured prominently in the discussions held as part of the civil society forum.

1.8. Eleven key priorities, which had been considered in previous years, were subsequently identified at Tuusula during the Finnish EU presidency, leading to expenditure of EUR 1,092 million between 1995 and 1999. No details have been published on the follow-up to the action plan, other than the report in the Commission's Communication on the Follow-up to the First Summit⁽¹⁾, that a bi-regional group of high officials and involving ministerial meetings has been set up. Two such

meetings have been held: one in Vilamoura in February 2000 and another in Santiago de Chile in March 2001. Subsequent accounts, especially in the light of the Santiago resolutions, reveal a lack of vigour in pursuing the deeper relations called for in the Rio action plan.

1.9. In its communication, the Commission defined three priority areas for action in preparation for the Madrid summit:

- promotion and protection of human rights;
- promotion of the information society;
- reduction of social imbalances.

The aim in each case is to draw up main conclusions for discussion at the summit, to be held in Spain in 2002.

1.9.1. The Commission document made a number of proposals for action in the first priority area, to include social, economic and political rights, and the establishment of an EU-Latin America/Caribbean discussion forum for this purpose.

1.9.2. In the second area (information society), a proposal was made to introduce a Community programme called @LIS⁽²⁾, addressed exclusively to the Latin American countries (but not signatories to the Cotonou Agreement), with three aims:

- to stimulate dialogue between governments, institutions, the private sector and users;
- to increase the interconnection capacity between research communities in the two regions;
- to implement the applications produced by demonstration projects in areas such as local governance, distance learning, education, cultural diversity, public health and social integration.

This programme was recently adopted by the European Commission, with a budget of EUR 63 million.

1.9.3. The European Union's action to reduce social imbalances is channelled in two directions:

- i) firstly, the Heavily Indebted Poor Countries (HIPC) programme, which seeks coordinated reductions by creditor countries of the high level of external debt of the countries concerned, as this puts a complete brake on their development;

⁽¹⁾ COM(2000) 670 final.

⁽²⁾ Alliance for the Information Society.

- ii) secondly, the 'Social Initiative', focusing on updating cooperation action and making it more efficient, allowing experience and best practice to be pooled in order to reduce social imbalances and assist the most vulnerable groups in these countries.

1.10. The decision taken at the beginning of 2001 under the Everything But Arms agreement also confirms that the EU is serious about continuing to open its borders to the least developed countries. However, this by no means goes far enough. A greater impact could have been achieved by allowing access for processed agricultural products. In any case, less than 80 % of trade concessions for developing countries in the form of tariff-free import quotas for unprocessed agricultural products have been used in the past few years (OECD and WTO figures). This puts the EBA agreement somewhat in perspective. The reasons that opportunities for exporting to the EU have not been taken up lie mainly in the ever more rigorous EU food safety requirements. The EU has nevertheless taken concrete steps in the framework of the WTO negotiations to strengthen the negotiating position of developing countries in the WTO. Private sector investment in South America is at the moment also many times greater than government assistance.

1.11. No review of the historical background to relations between the European Union and Latin America and the Caribbean would be complete without mentioning five topical issues: (i) recent political and economic developments in the Latin American and Caribbean countries; (ii) the present state of the Enterprise for the Americas initiative and its key element, the Free Trade Area of the Americas (FTAA); (iii) the related North American Free Trade Agreement (NAFTA); (iv) relations between Latin America and the Asia-Pacific Economic Conference (APEC) countries; and (v) the prospects for relaunching the WTO ministerial conference and the collective role of Latin America and the Caribbean in this regard.

1.12. Circumstances within the Latin American countries, and by extension within the regional integration movements, can only be described as critical. Following a lengthy period of democratic consolidation and growing cooperation between countries, the 1997 Asian economic crisis — which has since spread far around the world — has undermined much of the progress achieved. Populist governments have emerged in some countries, in others elections have been held against a backdrop of acute political and social uncertainty, military confrontations — thankfully brief — have flared up between neighbouring countries. More broadly, social tensions have been exacerbated, or progress to ending armed conflicts in certain countries has become bogged down. Moreover, many countries are struggling with very heavy external debt burdens, dampening their prospects for economic recovery or imposing extremely severe external adjustment programmes. On top of this, Central America has been hit by a series of natural

disasters which have wiped out ten years' of economic progress. This has been reflected regional integration terms in the enormous problems facing Mercosur, the slow-down in Central American integration and the recent lack of enthusiasm in pursuing Andean integration. Only the Caribbean countries seem to have escaped this picture of decline in recent years, even though high levels of poverty persist. Latin America and the Caribbean can therefore be described as having reached a milestone in their history: the European Union can play a key role in guiding them towards greater democratisation, growth and further progress with the social improvements launched in the 1990s.

1.13. The development of pan-American relations, the most important aspect of which is the 'Enterprise for the Americas' initiative launched in 1994 by the then President Bill Clinton, has been given a major boost in recent months, following the entry into office of President Bush, as demonstrated at the Quebec Summit in March 2001. The most significant result of the initiative is probably the draft FTAA Agreement which, according to the Declaration of Quebec City, should be implemented by 2006 at the latest. It should be noted that the technical work has made remarkable progress since the Miami Summit in 1994 and that, although considerable political suspicion remains — most overtly in Brazil — that a pan-American agreement may make sub-regional integration efforts redundant, the significant political boost given in Quebec, and by the recent adoption by the US Congress of the 'presidential executive power' or so-called 'fast track' procedure, is very real. The Americas initiative is unarguably political and economic in character, touching only indirectly upon social aspects.

1.14. The recent adoption of the US dollar by a number of Latin American countries (Ecuador and El Salvador, together with Panama, which has used the dollar since gaining national independence at the beginning of the 20th century), along with the dollar's status as a reference currency in Argentina's fixed convertibility system (currency board), means that the dollar is taking on a predominant role in economic relations, punching far above its weight in trade and investment terms. It also means that countries opting for dollarisation are rejecting autonomous-type monetary policy.

1.15. Experience with the North American Free Trade Agreement (NAFTA) may give some indication of the impact of a future FTAA on the region's relations with the European Union: in spite of all the transitional periods and safeguards built into NAFTA, its introduction in 1994 immediately triggered a massive dislocation of trade affecting both EU

exports to Mexico (replaced with direct imports or from third countries via the US and Canada) and, less spectacularly but inexorably, European exports to the US and Canada, substituted by the upsurge in labour-intensive manufacturing in Mexico, through the so-called 'maquiladora plants' (foreign-owned assembly plants). The signing of the free trade agreement with Mexico, which came into force in 2000, has restored the former state of affairs.

1.16. Prior to the 1997 crisis, many American countries along the Pacific seaboard were fascinated by the economic development model offered by numerous Asian countries. The traumatic experience of the 1997 crash, however, which highlighted the model's economic weaknesses, combined with a total lack of social awareness as understood in western culture, has severely tarnished this model's attractiveness. This is not to say that in the medium term, economic links with the relevant parts of Asia and Oceania may not be reactivated, although not to the extent which seemed likely until 1997.

1.17. The failure of the WTO's Seattle ministerial conference in 1999 brought a two-fold revolt into the limelight: firstly, the small and medium-sized countries in wealth terms, who were not prepared to see a replay of imposed liberalisation timetables and measures, as happened at the Marrakech ministerial conference, and secondly, the emerging civil society platform which, although mixed with corporative interests, called upon political leaders to give greater heed to the reasonable demands of society and make the negotiating process more transparent.

1.18. Civil society in Latin America and the Caribbean clearly lacks an organisational foundation at the present time able to guarantee its place within democratic society and its effectiveness, something which the European Union can help to consolidate. However, the general thrust of the EU's post-Rio strategy is in this direction, and it is to be hoped that civil society in Latin America and the Caribbean will assume a much more active role in the near future. Government positions are underpinned by two central concerns: not to erode the comparative advantages currently enjoyed by many countries under the GSP and GSP-Drugs arrangements, and to launch of a global negotiating round covering all sectors, especially agriculture. Moreover, in a number of cases — again, Brazil in particular — the effect of a multilateral trade liberalisation policy in watering down current regional integration processes is viewed with concern. There is no clear, public government position on the social and environmental

aspects which accompany trade liberalisation, but some predict that these aspects could be used to bring about unbalanced protection favouring the markets of the more developed countries.

1.19. The historical background to the relations between the European Union and Latin America and the Caribbean might be summarised as follows:

1.19.1. Latin America and the Caribbean are at a turning-point in their political, economic and social development. They are confronted with the need to restate their commitment to democratic values and to combating poverty and social exclusion, to seek ways of reconciling models of sub-regional integration, of pan-American trade integration and of a trade and partnership structure with the European Union, and to fit all these possible models into the multilateral trade liberalisation process under the WTO.

1.19.2. For its part, the European Union must confirm that Latin America and the Caribbean represent a major priority within its global strategy and provide the corresponding resources, establish a genuine partnership with a major economic and commercial dimension but with social and cultural values as a fundamental element and, lastly, integrate this partnership into the broader framework of its relations with the trans-Atlantic dialogue, or with the process of multilateral trade liberalisation.

1.19.3. The European Union, Latin America and the Caribbean must understand that a strategic link between our regions, maximising our potential and minimising our weak points, represents an opportunity to boost our individual roles in the new world economic setting. Together, we will be stronger and less vulnerable.

2. Key elements in the partnership between the EU and Latin America and the Caribbean

2.1. The partnership concept must govern all aspects of relations between the two regions. It must embrace concepts such as grassroots proximity, visibility and public acceptability. From this starting point, the partnership must rest upon the following principles:

2.2. A relationship of equals acknowledging the specific features of each country and region, while acknowledging that absolutely equivalent concessions by each side are not a prerequisite for negotiations.

2.3. Sustainable development, aimed at achieving practical medium- and long-term results.

2.4. A far more ambitious approach than simply pooling production potential or opening up markets, to foster economic competitiveness in the two regions.

2.5. A foundation on organised civil society as a means of associating citizens in the common project. Both sides are considering the human (economic, social, cultural, political) rights of minorities, especially of the indigenous people, as a matter of real concern. After centuries of exclusion the time has come for reconciliation, inclusion and prosperity for all.

2.6. Mutual reinforcement of these regions' potential at world level, representing a contribution to a new, culturally and socially fairer world balance which respects different models of society.

2.7. The aim, while recognising the differences between regions and countries, of creating a real European and Latin American community of nations, which is democratic, socially just and has an efficient economy, which encompasses areas such as migration and culture, and in which civil society has a decisive part to play.

3. The strategic thrust of the EU's action on relations with Latin America and the Caribbean

3.1. General aspects

3.1.1. The first element is the need to have a well-defined, permanent strategy backed up with a practical and specific action plan and timetable, dispelling the aura of impermanence that has surrounded these relations over recent years.

3.1.2. The strategy must be based on the considerations of the Rio action plan, subsequently confirmed at Tuusula during the Finnish EU Presidency, but must be extended, as far as is possible, to other spheres.

3.1.3. It must be based on sub-regional strategies, tailoring the various political, trade and cooperation opportunities offered by the European Union to each specific case.

3.1.4. It must take constant account of the need to achieve sustainable development shared between the two regions, embodying the idea of balanced trade, together with an increasing input of environment-friendly European technologies under socially and economically viable conditions.

3.1.5. It must be based on sharing the core values of the European Union, especially the concept of the European social model, which combines free market aspects with social dialogue and public participation through civil society and is of more ambitious scope than simple trade agreements.

3.1.6. It should support sub-regional integration projects in Latin America in keeping with the EU model, insofar as these go further than the simple trade development which is the primary aim of the FTAA treaty.

3.1.6.1. It must involve strengthening state and public administration institutional structures and operating and monitoring machinery at all levels, and sufficient budgetary resources must be provided for it to be able to fulfil its important role in this process.

3.1.7. Each EU institution or body must play a specific role in building up this partnership. It is the task of the European Economic and Social Committee to offer the benefit of its experience to the creation or reinforcement of similar bodies — such as the Mercosur consultative forum — either already in existence or on the drawing-board, at sub-regional level and within the various individual countries of Latin America and the Caribbean. It is also vital for the economic and social partners of both regions to participate actively and be involved in pursuing this strategy.

3.1.8. The possibility of setting up a specific body for carrying forward these relations and implementing practical measures should be considered.

3.2. Relations with Mexico

3.2.1. In the economic sphere, the main thrust of the European Union's strategy must clearly be to develop the potential offered by the Free Trade Agreement to its full extent and adjust the Agreement to reflect any changes which may occur regarding either the various trade agreements which Mexico is carrying forward with Central America as a whole, or any modifications which signature of the FTAA treaty may entail for the North American Free Trade Agreement (NAFTA).

3.2.2. In the social sphere, the European Union can clearly help to establish a new framework of social dialogue for relations between workers and employers, in keeping with the domestic and international changes which the country has experienced in recent years.

3.2.3. Turning to civil society as a whole, approaches must be sought which suit Mexican circumstances, a feature of which is the simultaneous presence of large marginalised populations and problems in integrating a number of minorities. The EU, which also shares these problems to some degree, can in turn benefit from Mexico's experience in resolving them.

3.3. *Relations with Central America and the Caribbean*

3.3.1. From the economic point of view, the current cooperation arrangements must shed their primary focus on very small-scale actions, and shift to a regional strategic approach, implemented in cooperation with socio-economic players, fostering the growth of economically and environmentally sustainable activity, stepping up economic and trade links between the different countries and seeking the support of external regional initiatives, as in the case of the Puebla-Panama Plan.

3.3.2. In social terms, socio-occupational organisations must be given strong backing so that they can, firstly, provide socio-economic guidance to their governments in enabling the fundamental ILO conventions to be fully incorporated into their legislative frameworks and complied with, and secondly, strengthen societies which, especially in Central America, have been scarred by the climate of violence of recent decades, by launching a social dialogue.

3.3.3. Similarly, civil society operators in these countries need to be strengthened so that they can help consolidate a culture of democracy and basic human rights and guide the countries concerned onto a stable path towards economic growth and wealth distribution, alleviating the present high levels of poverty and social exclusion.

3.4. *Relations with the countries of the Andean Community of Nations*

3.4.1. In the economic sphere, the most obvious need is to seek formulas for macroeconomic stability and free market consolidation, avoiding populist economic approaches returning the region to the failed experiments of the 1970s. It is therefore essential to reinforce public institutions in such a way as to bring transparency to the way they work.

3.4.2. In the social sphere, workers' and employers' associations — many of which have a wealth of tradition — need to be supported and modernised in order to forestall either violence of any kind against their leaders and their families, or the emergence of spurious forms of participation out of keeping with the basic conventions of the ILO: this would stand in the way of a real social dialogue being consolidated. The EU should employ every means at its disposal to help bring an end to such violence and foster full compliance with the relevant international conventions.

3.4.3. Although the position regarding civil society as a whole is different in each of the region's five countries, it is clear that in order to guarantee its future, the climate of armed violence and the breakdown of traditional forms of public participation — or their absence in the first place — must be overcome. Only by organising citizens can the serious problems, which have been holding the entire region back for more than thirty years, be resolved.

3.5. *Relations with Mercosur and Chile*

3.5.1. In the economic sphere, it is clearly impossible to pursue regional integration schemes in a globalised world without coordinating the basic economic parameters. The most urgent task is therefore to support the Mercosur consolidation process regarding external tariff aspects, progress in building up an internal market, and work to devise a new macroeconomic policy framework capable of absorbing the asymmetric shocks of the last three years. This will also entail work to provide Mercosur with a broader institutional base. At the same time, it is vital to create legal and administrative conditions capable of sustaining the necessary flow of new and productive direct foreign investment.

3.5.2. There is a clear need at social level to involve the socio-occupational partners in the complex process of economic convergence. As part of this process, European businesses established in the region can play a leading role in generating a climate of social dialogue; in tandem with this, the Mercosur Consultative Forum has a crucial role to play at regional level, and employers' and workers' organisations at national level, in effectively consolidating the Mercosur system.

3.5.3. With regard to civil society, the Mercosur idea of course emerged from governing political circles and was accepted by the social partners, but was not properly communicated to the general public. As in Europe in the 1970s,

this enthusiasm for a shared future must be communicated to the citizens of each of the countries involved, and this can only be done through society's constituent organisations.

4. The role of EU, Latin American and Caribbean civil society in this process

4.1. The historical background to relations between these regions has of course been dominated by politics, about which the public has not been adequately informed despite the unarguable benefits it has brought to all. As a result, citizens were not involved in the necessary effort and are unable to bring their points of view to bear through their representative bodies. Moreover, overall statistics are lacking in many areas, making it difficult to identify and analyse the impact of EU action on these countries.

4.2. The Economic and Social Committee consequently promoted the first meeting of representatives of civil society organisations in Rio de Janeiro, prior to the 1999 Summit of Heads of State and Government: it plans to repeat the experience between 17 and 19 April 2002, only weeks before the second summit, to be held in Madrid in May of this year.

4.3. An amount of preparatory work will be needed ahead of the second meeting of civil society representatives, to ensure that the discussions, and the conclusions to be submitted to the summit of Heads of State and Government (i) reflect majority public opinion and its priorities, and (ii) in particular, include a work programme for the future which guarantees that the meetings are more than occasional events and are held in accordance with the action plan accompanying the communication.

4.3.1. This should put these meetings on a more official footing, ahead of the summits of Heads of State and Government. Furthermore, it should lead to meetings' agendas reflecting both priority points identified by civil society and the socio-economic issues to be discussed at the summits.

4.4. The ESC therefore believes that the following actions should firstly be broached in information plans, in association with economic and social councils and similar institutions, and in the preparations for the thematic papers, in line with the agenda of the Madrid summit.

4.5. As argued above, the active and informed involvement of civil society, through the full range of economic and social partners, is a crucial element of support in the process of strengthening democracy, civil peace and economic prosperity.

Without its contribution, and without a proper social dialogue, it is obvious that none of the advances made in economic and trade integration can be lasting or sustained by the countries themselves.

4.6. Over many decades, Europe has forged the 'European social model' on the basis of a concept of shared prosperity and solidarity, a market economy combined with a high level of social protection and accompanied by social dialogue, the existence of services of general interest which are of benefit to all, and a concept of subsidiarity understood not only as the most efficient division of responsibilities between all levels of territorial administration, but also as a division of tasks between the state and private sectors, equally in the interest of efficacy.

4.7. The experience of the European Union and, more particularly, of the 'European social model' can make a valuable contribution to the debate on how best to ensure that such relations are sustainable. For their part, the nations of Latin America and the Caribbean can offer the European Union the example of their vitality and imagination in difficult circumstances, together with their multiethnic, multicultural wealth and their capacity to build these values into a young society determined to achieve progress and justice.

5. Initial ideas for the preparation of the Declaration of the second meeting of civil society representatives from the European Union, Latin America and the Caribbean

The hearing in Santiago de Chile with Latin American and Caribbean representatives allowed a number of themes to be picked out for inclusion in the forthcoming Declaration of the second civil society meeting. They are as follows:

5.1. Representative civil society organisations constitute a key element in the democratic and social consolidation of both regions, and they must play an active and effective part in the political negotiations.

5.2. Latin American and Caribbean economic and social vulnerability is such that means must be found to guarantee sustained economic growth and a fairer distribution of the wealth created, so as to reduce the intolerable levels of poverty and social exclusion.

5.3. A reinforcement of social dialogue, and by extension of civil dialogue, as a key flanking measure for a fairer, more solidarity-based society.

5.4. The need for Latin American and Caribbean countries to choose freely the international economic integration model which best suits their practical interests, and, with regard to reciprocal concessions, to be able to pursue non-symmetrical agreements reflecting their greater economic and social vulnerability.

5.5. The pressing need for the European Union and the countries of Latin America and the Caribbean to pursue active policies in areas such as migration, general education and leadership training, the introduction of sustainable development models, or expanded and enhanced technology transfer flows.

5.6. The need to devise ways of strengthening all types of civil society organisation — without interfering with their freedom of action — and of encouraging the creation of forums for dialogue at national level, which could subsequently be extended to regional and international levels.

5.7. On the basis of this national and regional dialogue, encouraging the establishment of economic and social councils or similar bodies, putting the dialogue on an official, institutional footing so that it can be effectively integrated into

legislative and decision-making processes having an impact on civil society.

6. Priority measures for the preparation of the Second meeting of civil society representatives from the EU, Latin America and the Caribbean

6.1. Information actions: establishment of a dedicated web page, with links to all the civil society organisations who attended Rio, and open to comments and suggestions. Consideration might also be given to publishing a two-monthly electronic bulletin. Similarly, the cooperation of the EU delegations should be sought in mobilising other organisations in each of the countries concerned.

6.2. Action through the economic and social councils and similar institutions: both of the EU and those existing at regional or national level. The aim would be ensure that civil society has an organised presence in these countries, and to generate mutual added value for them through their presence at the event.

6.3. Preparation of four thematic papers on key issues of direct importance to civil society on the agenda for the Madrid Summit of Heads of State and Government. A further paper should be added, focusing on sustainable development in our two regions, and the possibility of carrying out joint actions or exchanging best practice in this field.

Brussels, 21 February 2002.

The President
of the Economic and Social Committee
Göke FRERICHS
