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II

(Preparatory Acts)

COMMITTEE OF THE REGIONS

Opinion of the Committee of the Regions on:

- the ‘**Proposal for a Directive of the European Parliament and of the Council on Waste Electrical and Electronic Equipment**’, and
- the ‘**Proposal for a Directive of the European Parliament and the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment**’

(2001/C 148/01)

THE COMMITTEE OF THE REGIONS,

having regard to the Proposal by the Commission for a Directive of the European Parliament and the Council on Waste Electrical and Electronic Equipment and the Proposal for a Directive of the European Parliament and of the Council on the Restriction of the use of certain hazardous substances in electrical and electronic equipment [COM(2000) 347 final — 2000/0158 (COD) — 2000/0159 (COD)];

having regard to the decision of the Council of 14 September 2000, under Articles 265 (paragraph 1) and 175 (paragraph 1) of the Treaty establishing the European Community, to consult the Committee on the subject;

having regard to the decision by the Bureau on June 13, which directs Commission 4 — Spatial Planning, Urban Issues, Energy and Environment, to draw up the relevant opinion;

having regard to the draft opinion (CdR 269/2000 rev. 1) adopted by Commission 4 on 4 October 2000, for which the rapporteur was Mr McKenna (IRL/AE);

whereas the pervasiveness of electronic and electrical equipment coupled with increasing consumerism and technological developments has led to a large increase in Waste Electrical and Electronic Equipment (WEEE);

whereas some Member States have legislation on the management of WEEE and others do not which gives rise to a number of potential problems for recycling, disparities in financial burden and the requirement for trading-in equipment;

whereas the proposed Directives focus on the aims of protecting human health and the environment from the impacts of WEEE, by introducing management systems which seek to avoid the generation of waste and limit the potential impacts of waste which has to be disposed of by re-use/recycling and restricting the use of certain hazardous substances in the manufacture of electronic and electrical equipment;

whereas the Directives seek to achieve the harmonisation of national measures on the management of WEEE,

adopted the following opinion at its 37th plenary session on 14 and 15 February 2001 (meeting of 14 February).

Views and recommendations of the Committee of the Regions

1. General comments

1.1. The Committee supports the WEEE Directive provisions for encouraging the recycling of plastics and phasing out toxic chemicals that are persistent in equipment and are known health hazards. This will help clean up the entire product chain, alleviate worker health problems, and reduce hazardous emissions to the environment.

1.2. The Committee considers that uniform producer responsibility should be introduced throughout Europe. Having different rules on producer responsibility in the EU member states would produce considerable distortion of competition in the internal market. It is far preferable for manufacturers' product responsibility to be regulated uniformly across the internal market.

1.3. The Committee of the Regions feels it might make most sense to consider introducing the proposed rules on restricting the use of hazardous substances under European substance legislation. Spreading the restrictions over a number of different directives will inevitably lead to lack of transparency and implementing problems. Furthermore the planned third Directive on the life cycle of these products should, if possible, be incorporated into the single Directive.

1.4. The proposals will require a new approach to design and technology by the manufactures of electrical and electronic equipment and it is inevitable that the costs incurred by compliance with the Directive's recommendations may ultimately be borne by the consumer. While the Committee accepts that some price rises are inevitable to compensate the extra costs of production associated with revised design and with the obligations on producers for recovery and disposal, it is essential that the growing costs of waste disposal associated with electrical and electronic equipment are not borne by the

public in general. However, the final responsibility has to be shared by the producer and the consumer.

1.5. The Committee supports the WEEE Directive's premise that the producers of all electronic products and electrical equipment must be financially responsible for managing their products throughout their lifecycle, including at the end of life. The Committee underlines that the public should not have to pay extra taxes for waste management costs of hazardous materials that producers choose to use in electrical and electronic equipment.

1.6. The Committee believes it is imperative that the Commission finalise the further proposed Directive on the 'Design and Manufacture of Electrical and Electronic Equipment' which is essential to guiding the industry on the principles of WEEE reduction.

1.7. While the Commission indicates the expected costs of achieving the targets set in the two proposed Directives are considerable, the Committee notes that, for the European Union, the potential economic benefits of implementing the Directives in terms of conserving resources, promoting sustainable development, reducing disposal costs, reducing costs for re-use and recycling are expected in the long term to outweigh the implementation costs. Notwithstanding the issue of financial costs resulting from the Directive, the Committee believes that the less tangible benefits in terms of a better quality environment and reduced pollution risks should outweigh the short-term financial impediments the Directive may create.

1.8. The Directives will necessitate close crossborder co-operation as pollution arising from WEEE is not always controlled by state boundaries and the requisite measures will have to be taken on both sides of a border in order to protect the environment of the entire region concerned. The Committee submits that proposals for such co-operation would be constructive even if it is not possible to regulate conditions outside the EU area.

1.9. The Committee would also point out that private purchases over the Internet (e-commerce) will increase too and that the Directive should ensure that the manufacturer's responsibility for taking back products both within the Single Market and in trade with third countries is not circumvented.

2. Comments on the Directive for Waste Electrical and Electronic Equipment

2.1. The Committee of the Regions endorses the objectives and main elements of the proposals and would underline the role that local and regional authorities have to play in facilitating the realisation of these objectives. The Committee regrets the lack of legislation in dealing with WEEE in some Member States and welcomes the proposal for a Directive to provide a legally binding framework at the EU level. Where Member States must draft legislation or amend existing legislation in response to the Directives, it is important that regional and local authorities be official partners in the process of framing national implementation programmes. Ultimately it is these stakeholders who must ensure that producers, are abiding by the Directive principles. The involvement of these authorities in both the planning and implementation of national strategies is critical to attaining the Directive's aims.

2.2. The importance of local and regional authority involvement is also necessary to ensure that potential regional economic disparities are considered when legislation is being drafted. The Committee notes that the Commission proposal does not provide estimates for potential economic impacts on individual Member States. The targets set in the two proposals will place a financial strain on both national and regional levels and indications of how costs may be met would be welcome from the Commission. All costs resulting from the collection, transportation, recycling, re-use and recovery of all end-of-life electrical and electronic equipment must fall to the producer by the end of the transition period at the latest. In this regard the Committee welcomes the flexibility built into the proposal to allow Member States to take national and regional conditions into account when devising systems for waste recovery and treatment.

2.3. The Committee would highlight that compliance with the Directive's proposals within some Member States will present difficulties where no existing legislative provision in this field currently exists. At least one third of the Member States have not undertaken any legislative measures controlling WEEE. This will further compound problems for local and

regional authorities devising systems to promote the implementation of the Directive principles. The lack of a national legislative framework in Member States may also encroach upon the practicality of achieving the timeframes for the reduction in WEEE targets imposed by the Directive.

2.4. Although the targets have been amended from previous drafts of the proposed Directives, it is the Committee's opinion that it is important for the Directive to reiterate that Member States are entitled to introduce stronger measures if they so desire. This may have particular relevance for Member States whose existing WEEE legislation is already advanced, where manufactures have already amended design practices and reduced dependence on hazardous substances and in Member States where there are significant concentrations of electrical and electronic equipment producers.

2.5. The Committee of the Regions considers that the target set by the Commission of four kilograms on average per inhabitant per year of waste electrical and electronic equipment Directive is not ambitious enough; therefore urges the Commission to lay down a guide value to serve as a lower limit, which should be reviewed annually. To ensure that the highest possible collection rate is achieved, the last owners of waste equipment should be obliged to return their equipment to approved collection facilities.

2.6. The Committee welcomes the provisions under Article 8 ensuring that agreements be incorporated between the manufacturer and the user (other than private households) on collection, treatment and recovery of WEEE as these users are major contributors to the accumulation of electrical and electronic equipment in the municipal waste stream.

2.7. The Committee accepts the implementation of separate collection systems for WEEE is the most effective method of ensuring that targets for re-use and recycling are achieved. However it is worth highlighting that local authorities dominate the role of waste collection, treatment and disposal. While the local authority is best placed to ensure that these activities are conducted in an efficient and authorised manner, a sharing of responsibility in implementing separate systems for WEEE is of paramount importance. The issue of waste equipment take-back is inseparable from the question of who bears the cost. The Committee therefore considers that manufacturers' obligation to bear the cost of taking back waste equipment should be stipulated as an essential aspect of their responsibility for the product.

2.8. The Committee believes that the list of types of waste, and thus the authorisation system, should exclude electrical and electronic equipment that is simply sorted in collection centres for re-use following ordinary repairs when necessary.

2.9. The Committee notes that with regard to historical waste, i.e. waste from products put on the market before entry into force of the Directive, there is a transition period of five years. This transition period should be shortened to coincide with the deadline after which manufacturers will be generally obliged to take back equipment. The facility within the Directive that producers of products with longer lifetimes could cover these costs through a fixed fee on the price of new products should, the Committee submits, be accompanied by a list identifying these particular products so as to remove any uncertainty or ambiguity on eligible products.

2.10. The Committee agrees with the view that the impact on the price and demand for electrical and electronic goods is estimated to be limited. Furthermore companies that learn how to produce products that are less hazardous and easier and less costly to recycle will develop a competitive advantage since their recycling costs will be lower. In any event the issue of who should pay is at the heart of Extended Producer Responsibility, since it is actually an extension of and mechanism to implement the 'polluter pays' principle. The Committee deplores the fact that the Commission omits to clearly address the financial responsibility for future products; therefore urges the Commission to let each company, producer or importer assume responsibility from collection points for the recycling of its products from private households introduced after the directive comes into force. This will provide producers with a financial incentive to develop more environmentally friendly products.

2.11. The Committee of the Regions urges the Commission to encourage the optimal durability of products, taking account of the technical progress in the environmental field. The equipment and components should be durable, easy to disassemble, low polluting and recyclable.

2.12. The Committee would like to highlight the specific difficulty of inducing consumers to recycle small appliances; urges therefore the Commission to propose a compulsory deposit scheme for electrical and electronic equipment.

2.13. The Committee would emphasise the employment potential that the proposal on WEEE presents particularly in the recycling industry. Although the potential economic

impacts of the Directive will vary among regions, taking the EU as a whole, the negative impacts will be outweighed by the economic growth and employment generated in sectors involved in minimising, collection, recovery and recycling of WEEE. This additional employment will create further benefits in assisting the integration of long-term unemployed into the workforce and boost activities in all Member States in the social economy.

2.14. The Committee underlines the importance of awareness raising and information campaigns to involve consumers in reaching targets for the collection and recovery of electrical and electronic waste and would welcome co-operation between producers and local authorities in implementing such campaigns.

2.15. In order to protect the competitiveness of the EU in terms of electrical and electronic equipment production with non EU countries it is important that the Union exerts its influence at global forums to encourage other producers such as the USA and Pacific Rim nations to follow the example of the EU in seeking to minimise WEEE. This is important not only for creating a level playing field for producers to compete, which should also apply to e-commerce, but also in ensuring that the quality of the global environment is enhanced having regard to the transboundary impacts of pollution.

2.16. The Committee has concerns about the transboundary movement of hazardous waste. EU producers should not seek to shirk their responsibilities on the collection/treatment/disposal of WEEE through the exportation of their waste products to non-EU countries where the regulations concerning recovery/disposal may not be as stringent. Similarly the Committee believes that clarification needs to be given with regard to the issue of the exporting of electrical and electronic equipment and how the practicalities of end of life collection/treatment will be dealt with between the producer and receiving country.

2.17. The Committee of the Regions feels that greater allowance should be made for the changes in international trade in electrical and electronic equipment over the next few years that will be brought about by electronic commerce. The directive should therefore contain more far-reaching provisions indicating how manufacturers and distributors selling directly in European markets and the internal market are to be included the scope of the directive.

2.18. The Committee of the Regions considers that no further permits and inspections which have to be communicated to the Commission should be required in addition to the permits already now required. The arrangement provided for in the proposal is not justified on technical grounds and would stymie all efforts to simplify administrative procedures.

2.19. The Committee of the Regions considers that information and reports required for the Commission should contain just a few essential facts. The requirements laid out in the proposal would entail unjustifiably high administrative costs.

2.20. The Committee of the Regions feels that the directive should also ensure that small businesses (SMEs) can bid for contracts in the future. Producers who employ other companies to meet their obligations should be required to issue calls for tender (allocation by small lots) that guarantee participation by SMEs.

3. Comments on the Directive on the restriction of the use of certain hazardous substances in electrical and electronic equipment

3.1. The Committee welcomes the initiative which includes the phasing out of specified toxic materials. Many manufacturers have already begun this practice which the Committee would argue has limited cost implications.

3.2. For those hazardous substances which do not have to be phased out in the current proposal due to the lack of an available substitute, the Committee would recommend that further analysis of their potential impacts should be undertaken and that the research for an appropriate substitute should be expedited. The Committee would welcome further action to stimulate industry to take the environmental impact of their products more seriously into account and to address recycling and reduction of waste aspects from the initial design stage.

3.3. It is the Committee's view that where certain hazardous materials continue to be disposed and for those materials which will be disposed of prior to the coming into force of this Directive, at landfill sites, that this material is only disposed of at high standard controlled landfill sites which are controlled by the technical standards set out in Directive 99/31/EC.

3.4. In addition to the potential risks of pollution and associated health issues resulting from the disposal of these

hazardous substances, the Committee believes it should also be highlighted that the presence of certain hazardous substances poses a health risk to those employees of recycling plants, therefore reinforcing the need to reduce the levels of hazardous substances. The risks to employees in this sector may require further analysis.

3.5. With regard to the restrictions on substances identified in this Directive, the Committee would welcome reassurances that the proposed substitutes have been fully assessed in terms of their potential impacts on the environment and human health, so as that they are dealt with appropriately when it comes to recovery/disposal.

3.6. Article 6 of this Directive allows for the provision to amend the annex on restricted substances. Although the Directive states that by 31 December 2003 this section will be reviewed to take into account new scientific evidence, it is not clear whether there is scope to amend the list of restricted substances if sufficient scientific data emerges to justify further restrictions prior to this date. The Committee believes that subject to the availability of the necessary scientific data and appropriate consultation, that there ought to be the flexibility to amend this annex at any stage.

3.7. The Committee of the Regions considers that all environmental and economic aspects of both the substances and substitutes concerned must first be evaluated for their whole life cycle. Specifically, a scientifically substantiated risk assessment is required that examines not just the substance properties but also considers whether and how people and the environment are exposed to the substance and what effects can be expected.

4. Conclusion

4.1. The Committee welcomes the proposed Directives which require manufacturers to improve the design of their products in order to avoid the generation of waste and to facilitate the recovery and disposal of electronic scrap. This must be achieved through the phase out of hazardous materials, as well as the development of efficient systems of collection, re-use and recycling. The Committee of the Regions considers that producer responsibility should be made binding at Community level under the Directive.

4.2. The Committee considers that successful implementation of these proposals will depend on the local and regional authorities being involved in both the planning and implementation of the national strategies to attain the targets set out in the Directives.

4.3. The Committee recognises that some financial costs will be incurred in achieving the objectives of the proposals, but concludes that in the long term, the economic and environmental benefits will be realised as technology adapts to the requirements to undertake cleaner manufacturing techniques in production.

4.4. The Committee notes that the proposed target values should be achievable at reasonable expense if all the requisite

relevant guidelines are drawn up in the near future in particular the proposed Directive on the 'Design and Manufacture of Electrical and Electronic Equipment'. The Commission should monitor action by Member States especially those that have not undertaken the preparation of WEEE legislation.

4.5. The Committee of the Regions believe that scientific research to facilitate further restrictions on the use of hazardous substances should be expedited and incorporated into legislation once sufficient scientific evidence can be demonstrated and the necessary consultations with key stakeholders completed.

Brussels, 14 February 2001.

*The President
of the Committee of the Regions*
Jos CHABERT

Opinion of the Committee of the Regions on the 'Proposal for a Directive of the European Parliament and the Council relating to the Assessment and Management of Environmental Noise'

(2001/C 148/02)

THE COMMITTEE OF THE REGIONS,

having regard to the Proposal for a Directive of the European Parliament and the Council relating to the Assessment and Management of Environmental Noise [COM(2000) 468 final — 2000/0194 (COD)];

having regard to the decision of the Council of 10 October 2000, under Article 175(1) of the Treaty establishing the European Community, to consult the Committee on the subject;

having regard to the decision by the Bureau on 13 June, directing Commission 4 — Spatial Planning, Urban Issues, Energy and Environment — to draw up the relevant opinion;

having regard to the draft opinion (CdR 271/2000 rev. 1) adopted by Commission 4 on 7 December 2000, for which the rapporteur was Mr Roelants du Vivier (B/ELDR),

adopted the following opinion at its 37th plenary session on 14 and 15 February 2001 (meeting of 14 February).

Views and recommendations of the Committee of the Regions

1. The Committee of the Regions' viewpoint

1.1. The Committee of the Regions welcomes the Commission's proposal for a directive on the assessment and management of environmental noise. It represents a decisive step towards a common European policy on combating noise. While this legislative tool does not provide solutions for every problem, it constitutes an initial approach to noise pollution as a whole.

1.2. Implementation of a common policy by the Member States is essential if the number of European citizens affected by noise levels that are unacceptable or damaging to their health is to be contained or reduced. Noise is the chief environmental and public health problem for the general public.

1.3. The Committee of the Regions welcomes the launching of a phased strategy to combat noise, as this reflects real circumstances in towns and regions. At worst, the strategy should stabilise the present situation in some regions and at best, should radically improve matters in others.

1.4. The Committee of the Regions emphasises the importance of setting a series of common indicators, which must be compatible with the standardised indicators in general use, but believes it is necessary to define, in particular for airports,

common action thresholds for noise levels where the impact on health is obvious. As there is a lack of information on dose-effect relations with regard to the common indicator to define 'annoyance' proposed in the directive, the Committee proposes that scientific studies be carried out to examine this issue in greater detail. This research can be used in the future to determine common target values or quality criteria and limit values and to trigger the implementation of action plans. While these studies are being carried out, short-term target levels for noise should be introduced, with action plans having to be drawn up if these levels are exceeded.

2. COR recommendations

2.1. The Committee of the Regions is unhappy at the scant importance given by the European Commission in its global assessment to the role which regional and local authorities will have to play in implementing the directive. The directive refers to areas of responsibility held by local authorities, such as urban and regional mobility policy, spatial planning and health protection. The Committee would urge the European Commission to devise a working method for implementing the directive which would involve regional and local level actors on a basis of dialogue and consultation.

2.2. The COR suggests that the European Commission initiate a network for swapping information, experience and know-how in order to assist regions and towns in applying the directive.

2.3. Recognising that large numbers of European citizens are affected by noise, the Committee of the Regions highlights the urgent need for a common strategy to combat noise, reflecting regional diversity. To this end it suggests adjusting the timing and deadlines for transposing the directive and modifying the directive accordingly, without changing its objectives. The forwarding of information on limit values to the Commission should be postponed until one year after the noise maps are drawn up. Establishing limit values can have major socio-economic implications, particularly for towns and regions which historically have not had active anti-noise policies.

2.4. The COR recalls that the Commission's Green Paper on Future Noise Policy introduced guideline values, necessary in order to define limit values. These guideline values, which have disappeared from the final version of the directive, were calculated on the basis of scientific research into the concept of 'annoyance' and published by the World Health Organisation. The Committee would like to see the guideline values restored to the directive.

2.5. The Committee of the Regions recognises the importance attached by the directive to defining common indicators. The way in which these indicators may be calculated or measured largely determines the results obtained. A common methodology ensuring the quality and validity of results should therefore be prepared in consultation with local and regional authorities.

2.6. The COR calls upon the European Commission to provide a clear definition of the term 'agglomeration'. The directive only applies to areas of strongly concentrated popu-

lation. Many people outside such areas, however, suffer from noise pollution. 'Agglomeration' should therefore be defined on the basis of the scale of the transport network (size, traffic flow, etc.), the zone's land-use classification, and the number of individuals concerned.

2.7. The Committee of the Regions supports the scope of the directive as proposed by the Commission. The use of common indicators must be applied to the noise maps, as stipulated in Articles 5 and 7 of the directive, and not to the strategic noise maps, which only give an assessment of the situation in a given area.

2.8. Recalling that noise is the primary nuisance affecting European citizens, but is one of the areas in which the Union has legislated least, the Committee of the Regions calls for the rapid introduction of the action plans for noise pollution reduction envisaged by the directive. It would stress the directive's laxity regarding the content of these plans and the expected results.

2.9. Aircraft noise problems merit special attention. The COR acknowledges that the directive's definition covers large number of airports, not only the largest. However, the specific nature of noise pollution generated by aircraft needs to be emphasised, and a specific indicator for this mode of transport should therefore be added. In addition, the assessment method advocated by the directive will need to be verified in detail.

2.10. The Committee is pleased that the directive views information for citizens as essential, but emphasises that this information should extend beyond simply publishing noise maps.

Brussels, 14 February 2001.

*The President
of the Committee of the Regions*
Jos CHABERT

Opinion of the Committee of the Regions on the 'Proposal for a Directive of the European Parliament and the Council on Public Access to Environmental Information'

(2001/C 148/03)

THE COMMITTEE OF THE REGIONS,

having regard to the Proposal for a Directive of the European Parliament and the Council on Public Access to Environmental Information [COM(2000) 402 final — 2000/0169 (COD)];

having regard to the decision of the European Council of 25 July 2000, under Article 175 (paragraph 1) of the Treaty establishing the European Community, to consult the Committee on the subject;

having regard to the decision by the Bureau on June 13, which directs Commission 4 — Spatial Planning, Urban Issues, Energy and Environment, to draw up the relevant opinion;

having regard to the draft opinion (CdR 273/2000 rev. 1) adopted by Commission 4 on 7 December 2000, for which the rapporteur was Margaret Eaton (UK/EPP),

adopted the following opinion at its 37th plenary session on 14 and 15 February 2001 (meeting of 14 February).

Views and recommendations of the Committee of the Regions

General comments regarding the scope of the proposed directive

The proposed Directive relates to the way environmental information is made available to the public at national, regional and local authority level. However, at this point in the preparation of the Opinion from the Committee of the Regions, two areas require clarification:

- What is the mechanism for the Aarhus Convention to be adopted by the European Commission, European Parliament, and other European institutions?

Article 1 states that 'The objective of the Directive is to ensure that, as a matter of course, environmental information is made available and disseminated to the public ...'. The definition of 'applicant' covers 'any natural or legal person requesting environmental information'. Thus the term applicant is taken to also apply to public authorities themselves. It needs to be noted that in their leadership role some public authorities will themselves require environmental information to be made available from other organisations. This information will then, in due course, be used to provide information for the public. For example, it is important that local and regional government is able to gather information from other public authorities to enable the support of national government to meet objectives relating to climate protection. [This links to the points made in relation to commercial confidentiality set out in paragraph 9.] It is therefore suggested that the definition should be extended by adding the words 'including public authorities themselves'.

1. The proposal for a Directive on Freedom of Access to Environmental Information

The proposal contributes to the goal of sustainable development by improving the rights of public access to environmental information. It will enable the public to be better able to participate in the decision-making affecting the environment. This will lead to a better quality of life for present and future generations. These principles are warmly welcomed.

2. Recital 8 — Who is entitled to request environmental information

The COR urges the Commission to extend the right of access to environmental information to include any natural or legal person, thereby deleting the precision 'in the Community'.

3. Article 2[1] — Extending the definition of 'environmental information'

It is recommended that 'aural' information requires clarification within the terms of the definition. If this term relates only to audio-recorded information, that is similar to information held in written or electronic form. However, if it extends to word-of-mouth information, which is difficult to verify it could be open to misrepresentation. This latter case would pose potential difficulties. As regards the remaining types of information, although these are probably covered in the 1990 Directive, the greater clarity is welcomed.

4. Article 2[2] — Definition of 'Public authority'

The proposal for the definition goes further than both the 1990 Directive and the Aarhus Convention. It would cover those organisations that are not in the public sector but are involved with services such as gas, electricity, water or transport. The definition also applies to organisations carrying out functions either directly or indirectly on behalf of the public authority. It would apply to contractors or organisations that manage the information archive or database on behalf of the public authority. The environmental impacts of organisations such as these are clearly significant. Therefore, this widening of the definition of is welcomed.

5. Article 3[2][a] — Time limits for a response

The reduction in the time limit from two months to one month is a first welcome step. The COR nevertheless urges for a more prompt service to the citizens. It should also be stated clearly that where a request is submitted to the wrong authority the period only begins to run from the time when the request is received by the correct authority. The COR also proposes that all requests are made in writing.

6. Article 3[3] — Requests made for a specific purpose

The Committee of the Regions welcomes this provision. It is considered helpful for the public authority to be notified of the details of any processes and deadlines, which are relevant in connection with the use to which the environmental information is being put.

7. Article 3[4] — Make reasonable efforts regarding the supply of information in a specific form or format

It is not clear what the implications of adding this requirement to the proposal will be; however, the test of reasonableness should make it manageable.

8. Article 3[5] — Practical arrangements under which environmental information shall be effectively made available.

The COR calls for an obligation on the Member States to work towards creating a system where public authorities have to publish a list/register of the environmental information held by the authority.

9. Article 4[1] — Criteria for transfer and refusal of requests

This addresses a failing of the 1990 Directive where information may have been inadvertently denied through applications being made to the wrong authority. In the proposal, public authorities are required to pass the request onto another more appropriate body or authority if they themselves do not hold the information. However, the Aarhus Convention suggests a second option of responding to the applicant and informing them of the authority which is believed to hold the information. The Committee of the Regions believes there is merit in retaining both options. The COR opposes § 4.1.b which allows public authorities to refuse requests which are formulated in too general a manner. Instead the public authorities should be required to advise the applicant on how the application should be drafted in order to obtain the required documents.

10. Article 4[1][c] — protocol re unfinished documents or internal communications

It is suggested that further clarity is required regarding the question of 'unfinished documents'. If the information which is stored on file is clear and not open to misinterpretation, then it should be made available on request. Current practice is for working papers such as records of meetings, interviews etc. not to be accessible in draft form. However, if working papers are stored for any length of time they then can become accessible. If such data is used to produce a formal document [after which it may be destroyed], then the formal item should be accessible whilst the working papers are not.

11. Article 4[2][d] — Emissions and commercially confidential information

The Committee of the Regions recommends that commercial sensitivity shall be waived in circumstances where information on emissions, relevant for the protection of the environment, should be disclosed.

12. Article 4[2][f] — Exemption from release for personal data

This proposal is welcomed. The link is made, between the release of environmental information, with the regime concerning the protection of individuals with regard to the processing of personal data and the free movement of such data.

13. Article 5 — Charges

Where charges are incurred the proposal should allow for the supply of information to be dependent on payment. It is common practice to make supply dependent on payment and the Convention explicitly allows this. It is understood that the principle consideration is to respond to enquiries as soon as possible but this may impose problems with debt recovery. If the cost of carrying out procedure for debt recovery is prohibitive, a significant source of reimbursement may be lost to public authorities.

14. Article 5[3] — Free access to information on public registers or lists

The Committee of the Regions welcomes this.

15. Article 6 — Access to Justice

The COR stresses the importance of an effective access to justice (timely, transparent, affordable and comprehensive); the practical arrangements for this should be based on national law. The process should not entail such high costs that the right of appeal cannot be effectively used.

16. Article 7[1] — Dissemination of environmental information

As drafted, the Committee of the Regions finds this unwelcome and suggests that both archive material and monitoring data should be specifically excluded from the proposal. The cost of making all archive material available is likely to outweigh the benefits, whilst monitoring data which has not been interpreted is likely to be misunderstood or misinterpreted.

17. Article 7[2] — publication of state of the environment reports

This further pressure to provide State of the Environment reports is welcomed. However, it is important to recognise that these State of the Environment reports do not have to be 'stand alone' documents. It might be the case that all the relevant environmental data is disseminated in a report which addresses sustainable development or well-being.

18. Article 7[3] — Making information available in emergencies

The Committee of the Regions recognises this as formalising current good practice and welcomes the measure.

Brussels, 14 February 2001.

*The President
of the Committee of the Regions*
Jos CHABERT

Opinion of the Committee of the Regions on 'The importance of public credit institutions for the balanced development of Europe's regions, cities and localities'

(2001/C 148/04)

THE COMMITTEE OF THE REGIONS,

having regard to the report of the European Commission to the Council of Ministers on services of general economic interest in the banking sector (adopted on 17 June 1998);

having regard to Articles 2, 5, 16, 86, 87, 158 and 295 of the Treaty establishing the European Community, version of 2 October 1997;

having regard to Protocol (No. 19) on economic and social cohesion and Protocol (No. 21) on the application of the principles of subsidiarity and proportionality;

having regard to the Declaration adopted by the 1997 Amsterdam Intergovernmental Conference on public credit institutions in Germany (No. 37) and the Declaration by Austria and Luxembourg on credit institutions (No. 1) noted by the 1997 Amsterdam IGC;

having regard to the Communication of the European Commission on services of general interest in Europe (COM(2000) 580 final);

having regard to the Consumers Committee position paper on the Universal Service concept in the services of general interest (adopted on 6 December 1999);

having regard to its opinion on the Proposal for a Council Decision on measures of financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs) — The growth and employment initiative, of 13 and 14 May 1998, CdR 46/98 fin⁽¹⁾;

having regard to its opinion on Report of the Business Environment Simplification Task Force (BEST) and the Commission Communication 'Promoting Entrepreneurship and Competitiveness' — The Commission's Response to the BEST Task Force Report, of 2 and 3 June 1999, CdR 387/99 fin⁽²⁾;

having regard to its opinion on the Communication from the Commission to the Council, the EP, the ESC and the COR entitled 'The competitiveness of European enterprises in the face of globalisation — How it can be encouraged', of 17 and 18 November 1999, CdR 134/99 fin⁽³⁾;

having regard to its opinion on the Proposal for Guidelines for Member States' Employment Policies 2000, of 17 and 18 November 1999, CdR 360/99 fin⁽⁴⁾;

having regard to its opinion entitled 'Developing a genuine culture of subsidiarity. An appeal by the Committee of the Regions' of 10 and 11 March 1999, CdR 302/98 fin⁽⁵⁾;

having regard to the decision taken by its Bureau on 11 April 2000, under the fifth paragraph of Article 265 of the Treaty establishing the European Community, to draw up an opinion on this matter and to instruct Commission 1 (Regional Policy, Structural Funds, Economic and Social Cohesion, Cross-Border and Inter-Regional Cooperation) to undertake the preparatory work in cooperation with Commission 6 (Employment, Economic Policy, Single Market, Industry and SMEs);

⁽¹⁾ OJ C 25, 10.8.1998, p. 41.

⁽²⁾ OJ C 293, 13.10.1999, p. 48.

⁽³⁾ OJ C 57, 29.2.2000, p. 23.

⁽⁴⁾ OJ C 57, 29.2.2000, p. 17.

⁽⁵⁾ OJ C 198, 14.7.1999, p. 73.

having regard to the draft supplementary opinion adopted by Commission 6 on 30 June 2000 (CdR 53/2000 rev. 1), rapporteur: Mrs Coleman (UK/ELDR);

having regard to the draft opinion adopted by Commission 1 on 14 September 2000 (CdR 180/2000 rev. 1), rapporteur: Mr Mernizka (D/PSE);

whereas in the face of globalisation, the regions and local authorities have an increasingly important role to play in location, growth and employment policy;

whereas in accordance with the subsidiarity principle [Article 5(2)], maintaining diversity in Europe is an important objective of all Community policies;

whereas decentralised structures breathe life into the idea of a Europe of the regions;

whereas services of general economic interest are essential for the economy and society, occupying an important position within the European Union according to Article 16 and playing an important role in promoting social and territorial cohesion;

whereas the Member States have sole responsibility for designating services of general economic interest as being part of the Universal Service concept;

whereas in view of the European Union's general development goals, it is also vital to use all reasonable means to strengthen economic and social cohesion (Article 2, EC Treaty) and to support disadvantaged and rural areas (Article 158, EC Treaty), thereby contributing to the positive development of all regions in the Community;

whereas in this connection it is of primary importance to put in place and improve infrastructure;

whereas financial services (especially universal access to banking) are increasingly crucial in enabling consumers to participate in economic life;

whereas Universal Service provision is in the general interest and access to such high-quality basic services must be guaranteed for all sections of the population;

whereas provision of such services is not in all cases guaranteed through market forces alone;

whereas national measures are required to safeguard the provision of services of general interest and to prevent the social and economic exclusion of certain social groups, particularly the most vulnerable;

whereas consumer protection has to be one of the guiding principles of Community action in order to bring about a citizens' Europe;

whereas provision of financial services at regional and local level is vital for all sections of the population, especially for municipal and regional authorities and SMEs, and must continue to be guaranteed in future;

whereas plurality and effective competition in the banking market — the coexistence of public credit institutions, cooperative and private banks — are the guarantees of a consumer-friendly and stable financial system;

whereas the primary business objective of public credit institutions is not to maximise profits but to fulfil a public-interest mandate;

whereas public credit institutions provide support to regional and local authorities in the process of structural change and by actively promoting the location;

whereas public credit institutions in particular are responsible for providing financial services in Europe's remote and outermost areas and regions;

whereas public enterprises and enterprises which have been granted special or exclusive rights under Article 86(1) of the EC Treaty, or which have a mandate to provide services of general economic interest under Article 86(2) of the EC Treaty, make a major contribution to promoting social cohesion and balanced development of the regions in Europe,

adopted the following opinion at its 37th plenary session on 14 and 15 February 2001 (meeting of 14 February).

The Committee of the Regions

1. emphasises that prosperous regions enjoying equal opportunities are of crucial importance for increased growth, employment and social justice within the European Community,

2. points out that a stable and effective banking system is essential for the balanced and healthy development of regions, cities and localities,

3. notes that, above all, the comprehensive, nationwide provision of high-quality financial products and services on favourable terms to all sections of the population is indispensable in terms of both consumer protection and the general economic interest,

4. draws attention to the principle of market transparency and to the right to accurate, effective and sufficient information for consumers regarding the conditions of transactions and the characteristics of financial goods and services,

5. highlights the fact that the provision of financial services is crucial for citizens to participate in economic life and therefore the Member States must ensure as part of universal economic service legislation that access to these banking services is guaranteed for all sections of the population throughout the country and on agreed terms, in line with the proposals of the Consumers Committee (the principle of equal access),

6. recognises that a mainly profit-orientated banking system may result in low-income groups and regions, cities and localities as well as SMEs, particularly those in structurally weak areas, having insufficient access to financial services,

7. advocates public action to improve the conditions under which small and medium-sized enterprises access funding from banks and other financial entities and to compensate for the fact that they are penalised when they try to access such funding under market conditions,

8. feels that such trends are incompatible with the public interest objectives and the precept of balanced development enshrined in the EC Treaty,

9. calls on the Commission to draw up a detailed report on the situation regarding financial services at regional and local level in the EU Member States and candidate countries focusing on local and regional authorities, SMEs and consumers and the implications and opportunities arising from new financial facilities,

10. emphasises that, particularly in outlying, outermost or sparsely populated areas, poorer regions and urban districts and structurally weak areas, adequate provision of financial services can only be ensured by means of public support or special initiatives,

11. takes the view that the EC Treaty must continue to allow scope for public measures needed to ensure nationwide provision of financial services in the event of market difficulties,

12. believes that public intervention to address such trends should not consist in heavy regulation of the private banking sector,

13. stresses that there must be healthy competition within the European internal market to the benefit of the general public and that political measures must be taken to boost consumer confidence,

14. therefore advocates diversity and plurality in Europe as a means of countering negative trends in the banking market,

15. welcomes plurality with regard to company status, by virtue of which private and public credit institutions with differing legal status and different objectives co-exist and compete on equal terms, as this ensures healthy competition in the provision of financial services. The COR also underlines the need to strengthen consumer confidence if these companies are to succeed,

16. emphasises that public aids must continue to be the exception rather than the rule and may never drive out healthy competition that is to the advantage of citizens. The COR therefore supports the Commission in its efforts to roll back state aids as explained in the 29th report on state aids. It does, however, recognise that the Commission must adopt a flexible attitude to aids which are justifiable from an economic and/or social point of view,

17. underlines that state aid may be granted to ensure the provision of universal services, but it should not indirectly benefit other commercial activities,

18. notes that, in several countries of Europe, there are public credit institutions which have been given a mandate by the state to take on important general economic-interest tasks in order to support and promote small businesses, consumers and the regions, cities and localities of Europe,

19. stresses that it must be possible to meet public responsibilities for the provision of services of general economic interest by means of credit institutions with specific remits, particularly those which are public,

20. notes that public credit institutions make an important contribution towards ensuring the provision of financial services in all regions for local and regional authorities and all sections of the population,

21. recognises that, by virtue of their public-interest remit and regional roots, public credit institutions make an important contribution to the balanced development of the regions, to the promotion of SMEs and important social areas and to improving citizens' quality of life,

22. appreciates the work of such institutions as they fulfil important functions in terms of consumer protection and regional development, thereby helping to win greater acceptance for European integration as a whole.

Brussels, 14 February 2001.

*The President
of the Committee of the Regions*
Jos CHABERT

Opinion of the Committee of the Regions on the 'Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions: 2000 Review of the Internal Market Strategy'

(2001/C 148/05)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions — 2000 Review of the Internal Market Strategy (COM(2000) 257 final);

having regard to the decision of the Commission of 3 May 2000, under the first paragraph of Article 265 of the Treaty establishing the European Community, to consult it on this matter;

having regard to the decision taken by its President on 30 May 2000, to draw up an opinion on this matter and to instruct Commission 6 for Employment, Economic Policy, Single Market, Industry and SMEs to undertake the preparatory work;

having regard to the Communication from the Commission to the European Parliament and the Council — The strategy for Europe's internal market (COM(1999) 464 final);

having regard to the Commission Green Paper — Towards fair and efficient pricing in transport policy — options for internalising the external cost of transport in the European Union (COM(95) 691 final);

having regard to the Communication from the Commission — Public procurement in the European Union (COM(98) 143 final);

having regard to the draft opinion (CdR 311/2000 rev. 2) adopted unanimously by Commission 6 on 4 December 2000 [rapporteur: Mr Bocklet (D/PPE)],

adopted the following opinion at its 37th plenary session of 14 and 15 February 2001 (meeting of 14 February).

1. The Committee of the Regions sees the European internal market as the keystone of economic integration in Europe. Its smooth operation is the basis for the achievement of the EU's and the individual Member States' main policy objectives. The internal market strategy sets out to strike a balance between long-term objectives and the specific implementing measures and to provide a clear picture of what needs to be improved. The COR considers it to be a good basis for the shaping of internal market policy over the next five years. The COR therefore in principle welcomes the Commission's Communications entitled: The strategy for Europe's internal market and 2000 Review of the internal market strategy.

2. While welcoming the definition of the internal market as the keystone of economic integration in Europe, the Committee wishes to state that the internal market's unification and liberalisation strategies will also find justification and prove effective by being dovetailed with regional policy so as to bridge the gaps between Europe's regions. Special attention should also be paid, in the run-up to EU enlargement, to regions on the EU's border with the countries of central and eastern Europe. Cross-border cooperation between cities and

regions must be strengthened and special aid for structural adjustments on both sides of this border must be stepped up.

3. The Committee of the Regions generally endorses the distinction made between strategic and operational objectives and target actions, which will make for greater transparency of internal market policy. The plan to assess measures regularly in terms of their effectiveness in achieving the objectives and the system of annual reviews will facilitate the implementation of objectives and timely adjustments. In assessing effectiveness in implementing EU directives in national law it must, however, be ensured that the Member States' scope for action is not curtailed.

4. The Committee endorses the Commission's proactive approach to internal market policy which will promote the efficiency and flexibility of the markets. The COR wholeheartedly supports the strengthening of the internal market, the application of its principles to international trade agreements and the enlargement of the European Union.

5. The Committee stresses that the Commission's four strategic objectives cover the main aspects of the internal market; the COR also approves the operational objectives in principle. There is, however, a need to clarify many of the policy descriptions which — even after being redrafted — are still rather abstract. On the whole the Commission's position on the internal market coincides to a great extent with the COR's views.

6. The Committee points out, however, that the identification of individual measures as target actions and the approval of the strategy by the Council and European Council do not bind the Member States to this specific Commission proposal. The COR regrets that no reference is made to proven principles like subsidiarity and mutual recognition.

7. The Committee considers it important that the Conclusions of the Internal Market Council on the Cardiff process should form the basis for the annual review of target actions.

8. The Committee of the Regions would like to see prominence given to measures for the creation of long-term, competitive jobs in the course of the annual adjustment of the target actions, with a view to improving the efficiency of the internal market. This would at the same time make an important contribution to strengthening social cohesion and underpin public acceptance of the internal market. There is a special need in this connection for an active labour market policy in the Member States and regions which focuses more on skills acquisition and further training, and for targeted support for the service sector, the promotion of innovation and technology and the development of centres of excellence.

9. Under Strategic Objective 2, Enhancing the efficiency of Community capital and product markets, the Commission intends that the financial markets should be fully integrated (Operational Objective 2). The range of competitive and reliable financial products available to the consumer is to be broadened. Access to the capital market is to be made easier for industry, especially small and medium-sized enterprises, and a single, strong and liquid market for investment capital is to be created. Financing agreements are to be made cheaper and more flexible for companies, with investors seeing improved returns.

10. The COR wholeheartedly welcomes these plans. They should enjoy the highest priority. In particular the Commission should lay the foundations for efficient, low cost cross-border payments. In particular the cost of mass foreign bank transfers should be cut and the directives on company flotations and prospectuses improved. Cheaper and more flexible financing

arrangements for companies, particularly young companies, and broader access to risk capital are objectives of great importance to companies.

11. European efforts to integrate financial markets should focus on small and medium-sized enterprises which have to fear structural disadvantages as a result of integration. As the banks wish to secure their future against a background of intensifying European competition by means of rising turnover and mergers, they are losing interest in small and micro-loans to SMEs. But because of their size and lack of financial security, it is these very SMEs which are most dependent on low-cost bank loans.

12. The internal market in insurance is theoretically complete. In practice, however, national laws, e.g. laws on liability or laws to promote private pensions, prevent the development of uniform insurance products which can be offered throughout the EU.

13. The Commission's efforts to maximise the benefits to the internal market of the digital age (Strategic Objective 2, Operational Objective 3) should, the COR feels, be given absolute priority. Delays in this area will hinder the development of information and communication technologies and their acceptance and use by European companies, particularly SMEs. The opening of a dialogue with industry and consumers, which has been built into the development of the overall framework for e-commerce, is welcomed, and a start should be made on it as soon as possible.

14. The most urgent need for regulation is in relation to data protection, uniform, coordinated payment systems and the application of general business conditions to Internet transactions. The COR therefore calls on the Commission to make a special effort to ensure that European companies offering their services over the Internet are not placed at a disadvantage vis-à-vis non-European suppliers. The COR welcomes the Commission's proposals for a framework directive on electronic communications and for four specific directives, as well as the adoption by the European Parliament and the Council of the directive on electronic commerce.

15. The COR supports the Commission in its efforts to encourage creativity and innovation via suitable protection of industrial and intellectual property rights (Strategic Objective 2, Operational Objective 4). Clear rules are needed on the protection of industrial and intellectual property. In particular there is a need for a right to information enabling an injured party to trace intellectual property theft from the seller back to the manufacturer, as well as for the introduction of a Community Patent.

16. The Committee is pleased that the Commission is working for the timely and complete implementation of Directive 96/92/EC concerning common rules for the internal market in electricity and Directive 98/30/EC concerning common rules for the internal market in natural gas (Strategic Objective 2, Operational Objective 5). The Commission has promised a communication on progress on liberalisation of the energy markets for December 2000.

17. In the light of the forthcoming communication on the liberalisation of energy markets, planned for December 2000, the Committee urges the Commission to review the directives on the production of oil and natural gas in Europe.

18. The Committee regrets that implementation of the internal market directives on electricity and gas has so far not produced pan-European competition in the energy sector, but rather parallel competition models. Approximation of these models is urgently needed in order to prevent imbalances to the detriment of market participants in fully liberalised Member States. Apart from significant disparities in the degree of market openness, competition-distorting rules also exist with regard to freedom of establishment for electricity and gas distribution companies. Considerable disparities also exist with regard to the organisation of the energy sector and environmental rules.

19. However, in order to establish a truly viable internal market in electricity and gas, harmonisation of the legal framework is essential. Thus, government regulation must be restricted to the minimum supervision necessary to ensure functioning competition in the market. At the same time, effective environmental rules will be needed to ensure that pan-European trade in electricity is not achieved at the expense of the environment as a result of outmoded and environmentally damaging electricity generation methods, although certain care will have to be exercised in regions that rely on limited modes of generating energy. The process of opening up to competition must be stepped up and accelerated in all the Member States.

20. While the COR fully supports the further gradual and controlled liberalisation of the postal services in the Union, the COR expressed serious concerns about the impact on excluded rural and urban communities. The COR supports the Commission in its intention of pushing ahead with completion of the internal market, including the postal services as agreed at the Lisbon summit. Intensified competition in this area will bring advantages for the customer and businesses in terms of quality and price of services and will strengthen the European economy. Even with open markets, universal postal services

must be guaranteed. Priority must be given to people living in upland areas, on islands and in sparsely populated regions, and specific obligations placed on service providers.

21. The COR strongly supports the Commission's intention of eliminating tax barriers and unfair tax competition in the internal market (Strategic Objective 3, Operational Objective 2). As early as December 1997 the European Council decided to draw up a tax package aimed at preventing harmful tax competition. This includes:

- a directive on the taxation of savings income
- a directive on the taxation of interest and royalty payments and
- a code of conduct on company taxation.

22. The COR considers competition between systems of direct taxation in the Member States and vis à vis third countries to be desirable as a way of preventing excessive tax burdens and of strengthening the European economy's international competitiveness. But, in order to prevent distortions of competition in the internal market and economically unjustified shifts of capital and investment flows, it is also necessary to eliminate unfair tax competition. This applies in particular to measures pinpointed in the code of conduct on the elimination of unfair tax competition which often benefit non-resident, but not resident companies. The COR also supports minimum harmonisation of taxation of savings income and the abolition of withholding tax on interest and royalty payments between companies belonging to the same group. Implementation of the Commission's tax package should therefore enjoy the highest priority.

23. Public procurement is dealt with in the internal market strategy under Strategic Objective 3, improving the business environment, and Operational Objective 4, eliminating the remaining obstacles to cross-border trade. In order to achieve this goal, public procurement markets are to be further liberalised. The key measure planned is the public procurement legislative package which will in particular codify existing directives governing the award of contracts.

24. The COR welcomes the Commission's efforts to make the legal framework as clear as possible, in particular by bringing together all the relevant provisions in a single text. The Commission is asked, however, to avoid new rules unless they would result in simplification or clarification, rather than in more regulation and bureaucracy with regard to public procurement.

25. The new award procedure ('competitive negotiated dialogue'), which is to be added to the open and non-open procedures, is unnecessarily complicated and is unlikely to provide any greater flexibility in practice. The Committee of the Regions believes that existing provisions for the negotiated procedure should be implemented more flexibly. Nor can the COR support new measures for the implementation of EC law on the award of contracts. They would not be compatible with the subsidiarity principle enshrined in the Treaty of Maastricht or with the objective of 'lean government'. The COR therefore calls on the Commission not to create any new supervisory bodies.

26. The Commission intends to work for improved integration of service markets and to this end has announced a new strategy for the elimination of obstacles to the trade in services (Strategic Objective 3, Operational Objective 4).

27. With regard to further strengthening of the European services sector, the COR considers the main points to be the following:

- Knowledge-based services lead to a high proportion of graduate employees and ever higher skill requirements for the provision of entrepreneurial services.
- New service areas and information and communication technologies require the vocational training system to foster flexibility, personal responsibility and adaptability.
- Shortcomings in training and high demand for skilled staff are increasingly leading to bottlenecks in the services market.
- As a precondition for the development of a service culture, workers, companies and the state need to change their attitudes to service providers; what is needed is a greater willingness to provide services, greater customer orientation and the recognition that business services create value.
- Three factors relating to location are of the highest importance for information and communication technology companies: the supply of skilled workers, transport links and local costs, and economic conditions in the broadest sense.
- The strengthening and liberalisation of the services must not, however, go ahead at the expense of people living in areas with a low population density. At all levels therefore, actions to further the desired strengthening process must take account of the need to preserve those populations, by means of appropriate constraints on the service providers.

28. The COR notes with regret that, despite the outcome of the November 2000 conciliation proceedings on the railway package, the network access rights provided by Council

Directive 91/440/EEC on the development of the Community's railways have so far not produced the desired opening up of the market in international rail transport; nor has Directive 95/19/EC achieved its objective of harmonising the systems for the charging of infrastructure fees. The amendment of these directives proposed by the Commission is therefore welcomed in principle (Strategic Objective 2, Operational Objective 5). Particular attention is drawn here to the obligation on the Commission to propose new measures for the liberalisation of rail passenger transport this year. The aim is to create more intensive competition through broadened network access and thus improve the performance of the railways, as part of the move towards a more sustainable rail system.

29. In the context of the impending revision of the guidelines for trans-European transport networks (TEN-T) the Commission is considering, as well as updating the guidelines, setting priorities which would, include inter alia the removal of bottlenecks in the existing network and enlargement of the EU. The COR would like to see priority go to promoting the removal of bottlenecks and enlarging the network to include transport links with the applicant countries.

30. The forthcoming enlargement has not been sufficiently taken into account in the existing TEN-T. Transport flows between the applicant countries and the EU are already growing strongly and will be given a further strong impetus by enlargement. Additional links to the applicant countries should therefore be incorporated into the network.

31. As the weakest link in the chain, bottlenecks restrict the capacity of a whole section of the network. Priority should be given to removing bottlenecks, which can be achieved reasonably cheaply and within a fairly short time period, in order to bring about a rapid increase in the efficiency of the TEN-T. This EU support should, however, be provided within the framework of existing instruments, i.e. through political guidance and limited financial aid. The Member States' primary responsibility for transport routes should not be prejudiced.

32. The COR regrets that liberalisation of the European road haulage market took place without simultaneous full harmonisation of conditions of competition. As a result distortions of competition persist in road haulage. The reasons for this are different national rules or different implementation of the rules, especially disparities in taxation (e.g. tax on petroleum and motor vehicles), different social regulations, different technical standards and different application and implementation of EU rules (e.g. cost advantages for the illegal employment of drivers from CEEC countries). The COR therefore considers it urgently necessary to assess the impact that harmonisation of the conditions for competition will have on different regions of the EU before pressing ahead with such action.

33. The COR points out that eastward enlargement of the EU will have serious implications for road haulage. Current forecasts suggest that the volume of transport between the EU and the CEEC states is likely to double or triple over the next 15 years. There will thus be potential for growth in East-West trade. On the other hand, however, there is also the danger of further worsening of the competitive situation of the transport industry. The main reason for this is the existing disparity in wages and social costs between the central European states and the CEEC states.

34. In order to contain the negative impact of eastward enlargement of the EU, the COR suggests that initially a Community quota be established for journeys between the CEEC states and the EU. This quota should gradually be increased. After full accession, or 3 — 5 years after accession, short haul cabotage should be gradually introduced for domestic transport in other Member States. Only then should full freedom to provide services be introduced.

35. The liberalisation of road haulage is happening with no regard for the contributions that ought to be levied for repairing environmental damage and in payment for using public structures and infrastructures that are currently free of charge. This system, which must be put right as a matter of urgency — seriously distorts competition between road and rail transport, which is effectively penalised. There is no point in calling repeatedly for the development of goods transport by rail unless the existing situation of privilege is addressed.

36. The Committee is critical of the Commission's plans for the Europe-wide opening-up of the market in local public passenger transport. The current draft EC regulation provides for a Europe-wide tender procedure for public service transport. The tender procedure can be dispensed with only where the annual value of the transport service is less than EUR 400 000, EUR 800 000 in the case of networks, or if this is the only way to ensure that the transport service is provided safely or efficiently. With regard to commercial transport services, the draft regulation lays down rules on transparency requirements, e.g. requiring the date of expiry of concessions to be published in a particular way.

37. These rules are intended to promote EU-wide competition in local public passenger transport. The COR considers, however, that this competition must not be allowed to prejudice universal, high-quality services, particularly in rural areas and isolated islands. In many Member States the competent authorities continue to provide high-quality transport services for reasons of security of supply. To this end they are already able to enter into public-service contracts with operators. If the tender procedure is used, authorities must lay down minimum requirements (e.g. with regard to frequency, fares for various groups, timetables etc.). In principle the COR is in favour of liberalisation of local public passenger transport. But as a precondition for this, the decision on quality standards must continue to rest with the responsible authorities and it must be permissible to offer financial compensation for compliance with these standards. The COR regards EU claims to wide-ranging regulatory powers with regard to local public passenger transport as highly problematic. In future only detailed arrangements, such as the laying down of certain minimum requirements, may continue to be delegated to local authorities.

Brussels, 14 February 2001.

*The President
of the Committee of the Regions*
Jos CHABERT

Opinion of the Committee of the Regions on the 'Proposal for a Council Directive on Community measures for the control of classical swine fever'

(2001/C 148/06)

THE COMMITTEE OF THE REGIONS,

having regard to the proposal for a Council Directive on Community measures for the control of classical swine fever (COM(2000) 462 final — CNS 2000/0214);

having regard to the Council decision of 2 October 2000 to consult it, under the first paragraph of Article 265 of the EC Treaty;

having regard to the decision of its President of 23 October 2000 to entrust Commission 2 — Agriculture, Rural Development and Fisheries — with the preparation of the opinion;

having regard to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever;

having regard to the draft opinion adopted by Commission 2 on 16 January 2001 [CdR 377/2000 rev. 1 — rapporteur: Mr Eveslage, Councillor of the municipality of Barssel, Vice-chairman of the German Association of Towns and Municipalities (D/PPE)],

adopted the following opinion unanimously at its 37th plenary session of 14 and 15 February 2001 (meeting of 14 February).

The Committee of the Regions

1. welcomes the European Commission's efforts to improve the control of classical swine fever in the Community with a draft Directive;
2. notes with regard to Article 2(c) of the draft Directive that it is not clear from the definition of the term 'holding' which parts of farm buildings and farmland are covered; and therefore suggests that this be clarified by stipulating that the term covers all premises for keeping hooved animals including the associated outbuildings and the land attached to the holding;
3. notes with regard to Article 2(m), that the term 'owner' is a fixed legal term and that the term 'stock farmer' should be used instead;
4. would remark with regard to Article 2(u) that an 'area with a high density of pigs' cannot be fixed as a geographical area with a radius of 10 km but rather should relate to the actual pig density in the prohibition areas, observation areas and protection zones that are to be established;
5. criticises with regard to Article 5(1)(b) and Article 7(2) of the draft Directive that the expression 'a sufficient number of samples' used in these Articles is too general and creates planning uncertainty; and suggests that a key related to the size of the holding be laid down for the number of samples to be taken;
6. notes with regard to Article 4(2)(f) and (g) that the written authorisations required from the competent authority for persons and vehicles entering and leaving a holding can result in costs and paperwork for regional and local authorities that are out of all proportion to the actual benefits which are likely to accrue; and therefore suggests that consideration be given to whether it would be sufficient, as regional and local authorities think, to list the persons and vehicles in a register;
7. would point out with regard to Article 7(3) in conjunction with Annex V that it should be made clear that the criteria listed are not mandatory or binding but that in accordance with the subsidiarity principle and the need for effective control of swine fever, the competent national, regional and local authorities can adopt a suitably flexible approach to each case;
8. notes that the measures in the established protection zones, as provided for in Article 10, are very far-reaching and should therefore be supplemented by a general obligation on the part of the European Commission to implement a buying-in programme when the prohibition period exceeds 42 days;
9. proposes that Member States ensure that in regions with a high domestic or feral pig density special checks or surveillance measures are introduced that permit early recognition of the risk of classical swine fever.

Whether the ensuing costs can be charged to domestic pig farmers or hunting permit holders is a matter which should be discussed;

10. expressly welcomes the provision in Article 20 stipulating that in order to avoid an outbreak of classical swine fever, feral pigs can also be vaccinated against the disease;
11. welcomes with regard to the possibility of emergency vaccinations provided for in Article 19 that the competent national, regional and local bodies can decide in future about the implementation of emergency vaccination, given that they can judge local circumstances and epidemiological links from close range;
12. proposes that if a marker vaccine is available, ring vaccinations can be carried out over a limited period and

area in regions with a high pig density as an additional means of combating classical swine fever;

13. remarks with regard to Article 19(4) that it will be scarcely possible to sell the meat of vaccinated animals on the market; and therefore calls on the European Commission to lay down a compulsory buying-in programme for these pigs and their products;
14. recommends that steps be taken in the accession negotiations to ensure that the candidate countries from central and eastern Europe can be included in schemes for controlling classical swine fever via the application of Community animal health legislation;
15. calls on the European Commission, in the light of its draft Directive, to review the older Directives 89/662/EEC and 90/425/EEC and to update them if necessary.

Brussels, 14 February 2001.

*The President
of the Committee of the Regions*
Jos CHABERT

Opinion of the Committee of the Regions on:

- the ‘Communication from the Commission to the Council and the European Parliament on Integrated Coastal Zone Management: A Strategy for Europe’, and
- the ‘Proposal for a European Parliament and Council Recommendation concerning the implementation of Integrated Coastal Zone Management in Europe’

(2001/C 148/07)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the Council and the European Parliament on Integrated Coastal Zone Management: A Strategy for Europe (COM(2000) 547 final), and the proposal for a European Parliament and Council Recommendation concerning the implementation of Integrated Coastal Zone Management in Europe [COM(2000) 545 final — 2000/0227 (COD)];

having regard to the opinion of the Committee of the Regions on Towards a European Integrated Coastal Zone Management (ICZM) Strategy: General Principles and Policy Options (CdR 59/99 fin)⁽¹⁾;

having regard to the decision of the Council of 26 January 2001, under Article 175 (paragraph 1) of the Treaty establishing the European Community, to consult the Committee on the subject;

having regard to the decision taken by the President on 9 October 2000, which directs Commission 4 — Spatial Planning, Urban Issues, Energy and Environment to draw up the relevant opinion;

having regard to the draft opinion (CdR 372/2000 rev. 1) adopted by Commission 4 on 7 December 2000, for which the rapporteur was Ms McNamara (IRL/EA);

whereas Integrated Coastal Zone Management (ICZM) is a process of co-ordination and co-operation between all managers, at all spatial levels, and users of coastal zone resources;

whereas ICZM requires a broad understanding of the coastal zone, coastal systems and their inter-regional nature, a recognition of its value, a programme of relevant actions and measures, a suitable framework for its implementation, comprehensive databases, appropriate expertise and adequate funding to ensure proper management and the sustainable use of coastal resources;

whereas the Commission has implemented a number of demonstration projects to enable a review of policy in coastal zones across Europe and to inform the development of an European ICZM Strategy;

whereas the COR has previously welcomed the implementation of these demonstration projects, the principles distilled, lessons learnt and the options for policy advanced,

adopted the following opinion unanimously at its 37th plenary session on 14 and 15 February 2001 (meeting of 14 February).

1. The Committee of the Regions’ views and recommendation concerning the Communication

1.1. The Committee of the Regions welcomes the Communication and Proposal for a Recommendation and endorses the European Strategy for Integrated Coastal Zone Management, subject to the inclusion of additional actions and the consideration of other identified matters as set out below.

1.2. The proposal for a recommendation will give the ICZM process an impetus. However, the COR requests that the Commission would closely monitor action and progress at the national level. The activities of local and regional authorities in ICZM are dependent on the national level providing a statutory framework, as well as promoting and supporting activities at local and regional levels.

1.3. The Committee of the Regions questions the commitment of the Commission in relation to the implementation of an independent European ICZM Strategy. Whilst the general strategy of focusing on existing instruments and programmes

⁽¹⁾ OJ C 226, 8.8.2000, p. 38.

is broadly supported, it is advocated that specific additional measures are also required. Specific policies would, at the very least, raise public awareness of ICZM issues, and assist in the creation of a coherent European ICZM Strategy. The COR re-emphasises that a general framework for ICZM would involve a guiding set of principles at a trans-national level, the framing of policy at an interregional level, and a focus on the definition and implementation of policy (including detailed 'plans' or strategies) at a regional and local level. The principles listed in chapter II of the European Parliament and Council Recommendation are essential. Each Member State must be able, together with the local and regional level, to determine the need for, and the contents of the national strategy. Account must be taken of the diversity of coastal conditions as well as the differences between Member States' legislation and administrative systems.

1.4. The role of the EU as outlined in the Communication is generally welcomed. The EU role of promotion, guidance and support to local and regional administrations is the optimum approach in dealing with area-specific issues. The mainstreaming of existing EU measures and the auditing of future proposals to ensure no adverse affect on the coastal zone, is an important element in an European Strategy.

1.5. The Committee of the Regions re-emphasises the need for an European co-operation network between coastal local and regional authorities. In this regard, the Commission's recognition of the value of a European Coastal Stakeholders Forum and Practitioners Network is welcomed. The Commission is urged to take steps for their immediate formation, while taking account of and encouraging existing initiatives.

1.6. The COR is willing to play a constructive role in efforts to establish the Stakeholders Forum and the proposed Practitioners Network. The COR should be actively involved in future collaboration, discussion and dialogue, especially in drawing-up the guidelines to assist in stock-taking the impact of EU legislation and programmes at local level.

1.7. The COR stresses the need for the identification and creation of enabling mechanisms within local and regional authorities and national administrations in order to establish synergy and allow the involvement of all relevant sectors and individuals, thus increasing commitment to the process of ICZM. The COR believes that there is a definite role for the

Practitioners Network in highlighting best practice and in assisting local authorities to deal with implementing ICZM and establishing appropriate, flexible management structures.

1.8. The COR encourages Europe-wide and national campaigns to raise public awareness of coastal zone issues, thereby increasing participation from all stakeholders.

1.9. The COR submits that the physical definition of the coastal zone at a local level is an essential part of an EU Strategy. The definition of the coastal zone will identify its management needs and assist in the creation of a framework for ICZM. Given the area specific nature of ICZM, the definition of the coastal zone should occur at a local and regional level, with support from the EU and national administrations.

1.10. A more cohesive and ICZM-specific programme of support and funding is required. The COR believes that the range of EU financial instruments outlined in the Communication is inadequate, and will result in a sectoral approach to funding, rather than an integrated approach. In this regard, a programme of support dedicated wholly to ICZM issues is advocated, with particular potential under Interreg III Programme, which could also encourage the development of coastal areas and of cooperation networks between the Member States and third countries.

However, in the absence of a specific funding mechanism for ICZM, the COR would strongly advocate the need to ensure that Structural Funds are systematically implemented to provide for coherent integrated development and management of all areas, including the coastal zones.

1.11. The identification of the Environment DG as a focal point within the Commission for coastal issues is welcomed. The focal point must, however, be responsible for the implementation of the European ICZM Strategy and the co-ordination of the various recommendations and proposals outlined in the Communication. To ensure a coherent and holistic approach, the Committee of the Regions contends that the most appropriate focal point would be a formal interdisciplinary team which, apart from representing the policy interests of all the relevant Directorate Generals, would promote horizontal research projects, identified by a series of thematic analyses.

1.12. The COR recognises the value of partnership with civil society in planning and management approaches and the potential it offers for the emergence of new forms of governance in coastal areas, as well as other areas of the EU territory.

1.13. The COR regrets that the projects established under the Commission's demonstration programme may not continue to exist. Moreover the Committee feels that the expertise

and practices gained in these areas will be lost. The Committee therefore reaffirms the desirability of continuing existing appropriate projects and establishing further activities.

Brussels, 14 February 2001.

*The President
of the Committee of the Regions*

Jos CHABERT

Opinion of the Committee of the Regions on 'The structure and goals of European regional policy in the context of enlargement and globalisation: opening of the debate'

(2001/C 148/08)

THE COMMITTEE OF THE REGIONS,

having regard to the decision of its Bureau of 13 June 2000, in accordance with the fifth paragraph of Article 265 of the Treaty establishing the European Community, to draw up an opinion on the Structure and goals of European regional policy in the context of enlargement and globalisation: opening of the debate and to instruct Commission 1 for Regional Policy, Structural Funds, Economic and Social Cohesion and Cross-border and Inter-regional Cooperation to draw up this opinion;

having regard to the Opinion of the Committee of the Regions of 13 April 2000 on the 6th Periodic Report on the social and economic situation and development of the regions of the European Union (CdR 388/99 fin)⁽¹⁾, which finds that regional disparities in Europe have grown over the last ten years;

having regard to the Opinion of the Committee of the Regions of 14 January 1999 on the European Spatial Development Perspective (ESDP) — (CdR 266/98 fin)⁽²⁾;

having regard to the Opinion of the Committee of the Regions of 18 November 1999 on the Structural Funds and their coordination with the Cohesion Fund Guidance for programmes in the period 2000-2006 (COM(1999) 344 final) — (CdR 217/99 fin)⁽³⁾;

having regard to the Resolution of the Committee of the Regions of 10 March 1999 on the Reform of the Structural Funds and the Cohesion Fund in the context of the political debate on the Agenda 2000 package (CdR 1/99 fin)⁽⁴⁾;

⁽¹⁾ OJ C 226, 8.8.2000, p. 30.

⁽²⁾ OJ C 93, 6.4.1999, p. 36.

⁽³⁾ OJ C 57, 29.2.2000, p. 56.

⁽⁴⁾ OJ C 198, 14.7.1999, p. 1.

having regard to the Opinion of the Committee of the Regions of 18 September 1997 on the First cohesion report — 1996 (COM(1996) 542 final) — (CdR 76/97 fin) ⁽¹⁾;

having regard to the Opinion of the Committee of the Regions of 20 November 1997 on Agenda 2000: the financing of the European Union after 1999 taking account of enlargement prospects and the challenges of the 21st century (COM(97) 2000 final) (CdR 303/97 fin) ⁽²⁾;

having regard to the Opinion of the Committee of the Regions of 19 November 1997 on Views of the regions and local authorities on arrangements for European Structural Policy after 1999 (CdR 131/97 fin) ⁽³⁾;

having regard to the results of the seminar on the partnership principle held by the Committee of the Regions in Madeira on 10 and 11 January 2000 in the series entitled the Implementation of the reform of the Structural Funds, 2000-2006 — the contribution of local and regional authorities;

having regard to the draft opinion adopted by Commission 1 on 22 November 2000 (CdR 157/2000 rev. 3) [rapporteur: Dr Karl-Heinz Klär, State Secretary, Delegate for Federal and European Affairs of the Land of Rhineland-Palatinate (D/PSE)];

whereas European regional policy has achieved much, but disparities between the regions are still considerable, so that a European regional policy will continue to be needed even after 2006;

whereas in 1999 the Member States, in the decisions taken on Agenda 2000, essentially left the structure and goals of European regional policy unchanged;

whereas an increase in European support funding is both desirable and necessary, but the continuation of European regional policy in its present form would strain EU finances as soon as a large-scale enlargement takes place;

whereas the outcome of the Berlin conference was a clear regression in economic and social cohesion policies (0,46 % of Community GDP in 1999 as against 0,31 % in 2006);

whereas some regions of the Union which have hitherto been covered by EU regional and structural policy will no longer satisfy the support criteria, although, objectively speaking, there has been no substantial improvement in their position;

whereas, a strict concentration of support on the new Member States and their needy regions would perhaps strain European solidarity, and tend to split rather than integrate the enlarged European Union;

whereas globalisation, i.e. the accelerated, competition-orientated integration of the world economy, necessitates deepening of the European Union and intelligent use, based on division of labour, of all the productive resources of the regions;

convinced that, against this background, a bold, forward-looking reorientation of European regional policy is needed and that this approach has more chance of success than an unimaginative attempt once again to preserve the status quo;

convinced that such a bold new orientation of European regional policy geared to the challenges facing it can succeed only if it is discussed in good time, openly and without petty or tactical reservations between the main policy-makers and beneficiaries and then progressively implemented;

⁽¹⁾ OJ C 379, 15.12.1997, p. 34.

⁽²⁾ OJ C 64, 27.2.1998, p. 40.

⁽³⁾ OJ C 64, 27.2.1998, p. 5.

intending to use this opinion to launch a timely debate on future regional policy after 2006,

unanimously adopted the following opinion at its plenary session of 14 and 15 February 2001 (meeting of 15 February).

The Committee of the Regions

1. notes that the processes of globalisation and enlargement of the European Union pose fundamental challenges to future European regional policy. The accelerated globalisation of the world economy and the forthcoming enlargement of the EU will demand strenuous efforts from citizens to ensure that the European Union can continue on the path of economic and social progress. The highly developed regions will need to make a huge effort to adapt if they are to remain competitive, and regions with a great deal of economic catching up to do risk experiencing further competitive disadvantages. Against this background, it would be negligent and irresponsible to squander resources, waste development potential and weaken, rather than strengthen, the sense of belonging of citizens of the Union as a result of unbalanced Community policy.
2. points out that future European regional policy must be better coordinated with other Community policies. Sectoral policy measures must make a greater contribution to the objective of economic, social and territorial cohesion in taking into account a spatial dimension in their conception and implementation.
3. points out that European regional policy can succeed only in conjunction with the regional policies of the Member States and the regions. It should therefore respect subsidiarity, allow scope for and strengthen the regions' own responsibilities and encourage cooperation between them.
4. argues that European regional policy should on this basis use all its resources to help establish strong European solidarity in keeping with the European social model and promote a dense network of cross-border, inter-regional and trans-national partnerships. Substantial deepening of inter-cultural understanding is therefore just as necessary as stronger economic links.
5. calls for the further development of European regional policy into the integration policy par excellence, aimed at bottom-up deepening and the fostering of an awareness of the Union, to have something to offer all the EU's regions. In order to do justice to this objective in a changing Union, a debate on the future orientation of the objectives and adaptation of the instruments and procedures is necessary.
6. stresses that the bulk of aid must continue to go to regions with a development deficit and major problems, in order to preserve the principles of cohesion and solidarity between the richer and poorer regions. In future the rule must continue to be that, the more serious the development deficit, the greater the material support will need to be. To this end, it will be essential to conduct a more detailed study of criteria used to date. The aim is to promote competitiveness to ensure sustainable development creating long-term quality employment. This will underpin the prosperity of the EU as a whole in a context of global competition.
7. stresses that the future aid framework will need to be expanded in order to ensure that the needy regions — whether of the EU 15 or of the new member countries — can receive support. This is politically expedient, as a virtual cessation of aid currently received would be enormously damaging to the sense of belonging and attachment to the EU in many regions. But it is also appropriate: if the disparities of development and prosperity in the EU increase drastically as a result of enlargement, more funding, and not less, will be needed in order to pursue the objective of economic and social cohesion and take into account the developing concept of territorial cohesion.
8. notes in this context that statistical changes in the regions do not mean that structural problems have gone away. Material support provided under Europe's future regional policy must not be guided purely by GDP thresholds. Further criteria capable of objective assessment should be adopted alongside the main indicator, regional GDP as a proportion of the EU average: remoteness/accessibility and demographic trends/sparsity of population for example, but also sectoral and regional deficits relevant to development, inter alia in the areas of training, innovation, research and development and industrial restructuring. In so doing, attempts should be made to develop a system which makes it possible to classify clearly the relative needs of the different regions.
9. suggests that a new crisis intervention instrument be created, making it possible to use EU resources other than those earmarked for structural measures to react to sudden, unexpected, serious, structural crises which the affected regions would be unable to cope with on their own. In the short term such crises frequently lead to disintegration of the regional economic structure with

damaging long-term consequences. European regional policy must attempt to prevent such consequences and establish a good basis for rapid restructuring. Emergency aid is an excellent way of fostering a sense of belonging. At the same time the introduction of such an instrument strengthens the role of the European Commission, which has to take decisions on individual cases.

10. feels that future European regional policy should be based on the European Spatial Development Perspective (ESDP) and in particular the polycentric and regional cohesion approaches, in order to create crystallisation points for economic development in thinly populated areas, which will grow into (strong) centres able to raise the prosperity level of the region concerned. In the light of this, future regional policy must be coordinated with development strategies in the field of cross-border, inter-regional and trans-national cooperation, to ensure an improved coherence between sectoral and territorial approaches. In this connection, the work of the European Spatial Planning Observatory Network (Espon) should be taken into account.
11. suggests that Europe's future regional policy should use part of its — increased — resources for geographical integration at frontiers. In order to deepen integration of the European Union in areas where the Member States, even more than elsewhere, have to grow together and show good neighbourliness, the regions at the borders between Member States — including islands and coastal borders — and at the Union's external borders should receive structural support. Programmes of a cross-border nature or, where a border region is involved, an inter-regional or trans-national nature, and which are, *inter alia*, intended to alleviate the separation of (coastal) frontiers, insularity or a region's remoteness, should receive support. The undeniably positive experience accumulated in this area over a period of years should be reflected in Structural Fund support. The European added value of such a reform, compensating for the disadvantages of border location and promoting good neighbourliness, is clear.
12. in the light of this suggestion, advocates the development of mechanisms to tackle problems arising from divergent national structures and responsibilities. In particular efforts should be made to establish a legal framework for joint project administration, a joint budget for the

resources available for measures and joint cost and financial plans. The delegation of powers to regional or local level which might result would at the same time further the objectives of proximity to citizens and subsidiarity.

13. suggests a reorientation of the Community initiatives. A key aim should be to promote outstanding achievements in research and in new technologies via cross-border, inter-regional, trans-national and trans-continental joint ventures and to establish a system of networks of excellence. This Community initiative should try to ensure that the benefits of European inventiveness and of the innovative application of inventions are available to as many citizens of the Union in as many regions as possible. It could also generate synergies between European research policy and regional policy, between which there has hitherto been too little coordination. Clearly, an innovation of this kind would confer on the Commission an important role in future regional policy, and this would be welcome.
14. considers it necessary to increase the scope of regional policy implemented at national and regional level. The measures necessarily taken by the EU to encourage the development of the economically weaker regions using Community funds should be matched by the necessary attention to the demands of competitiveness which the economically stronger regions have to satisfy on the global market, whilst also bearing in mind that the success of the stronger regions will make a significant contribution to the growth of the EU as a whole. To this end, Community competition policy should, within the framework of the existing rules, step up checks on abuses and promote competitiveness.
15. calls for Europe's future regional policy confidently to take on a role which in essence it has always had: promoting integration from the bottom up. It will be able to perform this task effectively if in the framework of its objectives, structures and programmes it does not lose sight of the principle of solidarity. Solidarity means reciprocity.
16. announces its intention, over and beyond the scope of this opinion, of continuing to bring its expertise to bear on the debate on future regional policy; it will work together closely with the European Parliament and the Council on the development of policy, involving the regions of the applicant countries.

Brussels, 15 February 2001.

*The President
of the Committee of the Regions*
Jos CHABERT

Resolution of the Committee of the Regions on the 'Annual Statement on the Priorities of the Committee of the Regions'

(2001/C 148/09)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions — Strategic Objectives 2000-2005 — 'Shaping the New Europe' (COM(2000) 154) final;

having regard to the European Commission's work programme for 2001 (COM(2001) 28 final);

having regard to the political priorities of the Committee of the Regions;

having regard to the COR resolution on the European Commission's five-year strategic programme and the work programme for 2000 (CdR 125/2000 fin ⁽¹⁾);

having regard to the European Parliament's resolution on the European Commission's five-year strategic programme (B5-0143, 0144 and 0145/2000);

whereas a closer alignment of the priorities and objectives of all EU bodies will reinforce the impact of the initiatives and actions of the individual institutions;

whereas in most European countries there is a growing trend towards decentralisation and a strengthening of local and regional governments, and as a result those spheres of government are increasingly affected by European policies;

whereas the Committee of the Regions, exercising its responsibility as the voice of local and regional authorities in Europe, wishes to react to the priority actions proposed by the European Commission;

whereas the Committee of the Regions wishes to state its priorities for the coming year, in view of the forthcoming adoption of its work programme for 2001-2002;

whereas the participation of the Committee of the Regions, as the representative of local and regional authorities in the EU institutional framework, will strengthen democratic legitimacy and transparency,

adopted the following resolution at its 37th plenary session of 14 and 15 February 2001 (meeting of 15 February).

The Committee of the Regions

1. welcomes the European Commission's work programme for 2001; and expresses its satisfaction with the Swedish Presidency objectives and those of the forthcoming Belgian Presidency;

2. regrets that the European Commission has not yet been able to follow its recommendation to produce a well-targeted annual work programme; and therefore reiterates the need for fewer actions focused on key issues;

3. supports the ongoing European Commission's commitment and progress in mainstreaming gender equality and anti-discrimination in EU policies and not simply as self-evident rights;

A. New forms of governance

4. looks forward with interest to the forthcoming Commission White Paper on European governance and its primary objective to bring Europe closer to its citizens in order to meet their needs and concerns more effectively;

⁽¹⁾ OJ C 226, 8.8.2000, p. 46.

5. welcomes, in this respect, a new framework for the Union's communication and information policy, which corresponds to one of the priority actions started up by the COR, geared to improving the services provided to the public and promoting partnership with local and regional authorities, as an essential element of a progressive Europe;

6. expects that new forms of governance will enable the different spheres to cooperate more efficiently and effectively, in particular in relation to the major issues; and reiterates its opinion that the involvement of local and regional authorities is essential for successful further European integration;

7. agrees that the need for more effective governance in Europe ties in with the need for an in-depth reform of the EU institutions and their methods of interaction;

8. stresses the need of a better clarification of political responsibility in EU policies in order to achieve greater accountability; and welcomes in this regard the decisions, to this effect, of the last intergovernmental conference;

9. calls for greater transparency and openness in the proceedings of all EU institutions, including access to documents and information;

10. states firmly that the overall process should be guided by the principle of subsidiarity in order to ensure that decisions are taken as close as possible to the citizen;

11. restates therefore its will to strengthen its powers and status in the European decision-making process in the upcoming post-Nice institutional reform and, in the meantime, to take concrete steps to put into practice the current consultation procedure with the European Parliament on key issues;

12. stresses the importance of looking for ways to introduce greater interaction between the Committee and the European Commission, which could be reflected in a cooperation agreement;

13. reiterates its will to be associated, together with the regions with legislative powers, in the exchange of views with the informal Councils of Ministers on matters of regional interest;

14. welcomes the call by the president of the European Commission for 'a major public debate about the future of

Europe involving not just EU governments but the candidate countries and all stakeholders, including regions, local institutions and civil society'; and wishes to be fully involved in this debate;

15. supports the suggestions for setting up a Convention or a similar body (such as the one that was charged to draw up the draft Charter of Fundamental Rights) in the post-Nice process as a more democratic, open and pluralist method of negotiation in preparation for the next 2004 conference; and strongly insists on being fully associated as a political institution with the future Convention's discussions from the very beginning;

16. welcomes the reinforced role given to the European political parties in the Nice Treaty in both advancing democracy while expressing the will of citizens and bridging the gap between the European institutions and the citizens of Europe;

17. prioritises the simplification and rationalisation of the Treaties within a constitutional framework with a view to making them clear and understandable to citizens;

B. Enlargement

18. welcomes the European Commission's commitment to intensify its communication strategy on enlargement; and restates calls for coordination of activities and cooperation between the COR and the EU institutions, which should be implemented at the local and regional level;

19. calls on the European Commission to attach major importance to the fundamental objective enshrined in the Treaties of achieving social and economic cohesion in the candidate countries, where the existing disparities are considerable and could become even wider as a direct consequence of ongoing economic development;

20. states its support for the process of decentralisation and regionalisation in the candidate countries and the development of economic and administrative cooperation among the regions;

21. expresses its concerns about insufficient consultation with local and regional authorities, as they are the key to the ability to implement EU policies in the candidate countries; and suggests therefore that the European Commission develop a specific training programme in close consultation with the COR for local and regional authorities in preparation for accession;

22. encourages the European Commission's wish to speed up the relaunch of the Barcelona process and expresses some concerns on the weak results of the 2000 meeting in Marseilles; and in this context, underlines the importance of decentralised cooperation and the role of local and regional authorities in the Euro-Mediterranean partnership as a tool of dialogue, peace and democratic growth;

C. Towards a new economic, social and territorial cohesion

23. welcomes the adoption of the second report on economic and social cohesion and the European Commission's call for a wide-ranging debate involving all the actors concerned and in particular the local and regional authorities; considers that the COR should be mentioned in the DG Regional Policy 2001 programme; and would like to actively participate in this process;

24. takes the view that the notion of territorial cohesion should be taken into consideration as a complementary component of the principle of economic and social cohesion aimed at reducing disparities, as enshrined in the Treaties;

25. recalls that the implementation of the internal market shall take into account the EU objective of economic and social cohesion and shall contribute to its achievement; and in this regard, firmly believes that services of general interest will play a major role, as they directly affect local and regional authorities;

26. keeps on recalling the importance of an urban dimension in European policy matters given the fact that 80 % of European citizens live in urban areas, and that cities are vital to ensure competitive regions and a competitive Europe; and stresses the need to develop urban, rural and peripheral areas in a balanced, coordinated and sustainable way;

27. recalls the primary role of local and regional authorities as regards introduction of the euro; urges special consideration to be given to the most vulnerable user groups; and welcomes the proposal of the president of the European Commission to request COR support in this regard;

28. supports the European Commission's commitment to promote a high level of employment while focusing on quality, combining competitiveness and social cohesion; welcomes in this context the European Commission's recent call for 'a more

strategic partnership with local and regional authorities and local partnerships'; and therefore reiterates the importance of the campaign 'Acting locally and regionally for employment' (e.g. Territorial Pacts for Employment) and the objective of 'lifelong learning';

29. agrees on the need to modernise and develop sustainable social protection and pension systems;

30. expresses its wish to be associated to the draft of the forthcoming White Paper on youth; and insists on the key role played by local and regional authorities in promoting social integration and cohesion through education and training;

31. supports the European Commission's efforts to make Europe an integral part of the information and knowledge-based society while underlining the fact that new technologies are also creating new social needs;

32. reiterates the urgent need for a common migration and asylum policy for the European Union involving all spheres of government (national, regional and local);

D. Sustainable development

33. welcomes the overall integrated strategy for development and real progress towards the sustainability of Europe's transport, energy, research, agriculture and other common policies; and agrees on the imperative need to reconcile economic growth with social cohesion and environmental protection;

34. expresses satisfaction with the ongoing environment-support proposals being conducted at all levels with the aim of integrating economic development compatible with environmental protection; underlines however the need to implement existing environmental legislation in the Member States; experience has shown that concrete involvement by local and regional authorities has been of utmost importance in implementing global action;

35. supports the European Commission's proposal for greater consultation with the public in the drafting of certain plans and programmes relating to the environment and in making environmental information more easily accessible to individual citizens with a view to creating a framework which, in a long-term perspective, will not jeopardise the ability of future generations to meet their needs; and also supports the call for integrally sustainable fishery;

36. promotes the call for more sustainable agriculture integrating rural development, environmentally-friendly production methods, improved quality, consumer interests and consumer health; such sustainable agriculture would play a key role towards economic, social and territorial cohesion;

37. hopes that the forthcoming White Paper on future developments in the common transport policy will contribute to the development of efficient and economically viable

transport systems which prioritise safety and environment and reflect the special features of regions;

38. will adopt its annual work programme on the basis of this resolution;

39. instructs its president to forward this resolution to the European Commission, the European Council, the European Parliament, the Economic and Social Committee and the European Central Bank.

Brussels, 15 February 2001.

*The President
of the Committee of the Regions*
Jos CHABERT
