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Committee of the Regions

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I

(Resolutions, recommendations and opinions)

OPINIONS

COMMITTEE OF THE REGIONS

82nd PLENARY SESSION HELD ON 3-4 DECEMBER 2009**Opinion of the Committee of the Regions on better lawmaking package 2007-2008**

(2010/C 141/01)

THE COMMITTEE OF THE REGIONS

- underlines that local and regional authorities hold exclusive and shared competences when providing public services and contributing to the social and economic development of their communities. Therefore, their full participation in the early elaboration of EU law and its implementation on the ground are indispensable for the functioning of the democratic life of the EU.
- recognises that progress has been made in this field, and applauds the European Commission's commitment to this task, which has delivered tangible results, but considers that further improvements are possible and necessary.
- considers the principles of subsidiarity and proportionality, as well as the use of impact assessments, to be key aspects in promoting the emergence of a multilevel governance model in the EU and will be very beneficial for the economic development of the regions and the territorial cohesion of the European Union as a whole. It is recalled that the Treaty provides for decisions to be taken at the level that is closest to the general public, which is not always the level of central government. The principle of subsidiarity should thus be understood as the basis for a greater responsiveness to citizens' needs by all levels of governance and improved efficiency in decision-taking.
- believes that judgements by the European Court of Justice can impact heavily on local and regional authorities, for example in the field of public procurement, in ways that might not have been foreseen in the original legislation.
- finally the CoR is concerned also by the continuing tendency in Member States to complicate and over-elaborate the EU laws when it comes to their transposition into national legislation ('gold-plating').

Rapporteur: Mr Lord Graham Tope (UK/ALDE), Member of London Borough of Sutton

Reference documents

Commission Working Document - Second progress report on the strategy for simplifying the regulatory environment

COM(2008) 33 final

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions - Second strategic review of Better Regulation in the European Union

COM(2008) 32 final

Report from the Commission on subsidiarity and proportionality - (15th report on Better Lawmaking, 2007)

COM(2008) 586 final

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions - Third strategic review of Better Regulation in the European Union

COM(2009) 15 final

Commission Working Document - Third progress report on the strategy for simplifying the regulatory environment

COM(2009) 17 final

I. GENERAL OBSERVATIONS

THE COMMITTEE OF THE REGIONS

1. continues to work together with the European Commission and the other EU institutions in order to successfully achieve better lawmaking at all levels in the EU in the true spirit of multi-level governance.

2. recognises that progress has been made in this field, and applauds the European Commission's commitment to this task, which has delivered tangible results, but considers that further improvements are possible and necessary.

3. recalls the valuable input made by Ms Maij-Weggen on behalf of the CoR, as observer member to the 'High Level Group on the Reduction of Administrative Burdens'; in this context, the CoR reiterated the fact that local and regional authorities and the CoR are the best placed to contribute to the improvement of the EU law making process, especially due to the significant part of the EU legislation implemented at local and regional level and its impact on the daily life of the citizens.

4. welcomes the European Commission's greater openness in the preparation of new proposals and its consultation of interested parties, going beyond the EU institutions to include European representative associations of local and regional authorities, as well as its enthusiastic implementation of the 'structured dialogue' via the Committee of the Regions. It is important that consultative mechanisms are accessible and

diverse in order to ensure that EU policy-making is informed of a broad and representative cross-section of European opinion, as this will lead to more balanced decision-taking and more effective implementation, particularly in cases where local and regional authorities are responsible for enforcing and applying EU provisions.

5. underlines that local and regional authorities hold exclusive and shared competences when providing public services and contributing to the social and economic development of their communities, therefore, their full participation in the early elaboration of EU law and its implementation on the ground are indispensable for the functioning of the democratic life of the EU.

6. considers the principles of subsidiarity and proportionality, as well as the use of impact assessments, to be key aspects in promoting the emergence of a multilevel governance model in the EU and will be very beneficial for the economic development of the regions and the territorial cohesion of the European Union as a whole. It is recalled that the Treaty provides for decisions to be taken at the level that is closest to the general public, which is not always the level of central government. The principle of subsidiarity should thus be understood as the basis for a greater responsiveness to citizens' needs by all levels of governance and improved efficiency in decision-taking.

7. reiterates its commitment to raising awareness with regard to subsidiarity. In this respect the Subsidiarity Monitoring Network is a useful tool, not only because of the partners' engagement in subsidiarity monitoring but also in view of its

potential to act as a laboratory for the exchange of best practices in the application of subsidiarity and multilevel governance.

8. welcomes the efforts of the European Commission to observe the proportionality principle in the exercise of its legislative and regulatory powers by helping to repeal many legislative instruments through a large number of formal consolidation proposals. Notes that 48 simplification proposals have been finally approved by the co-legislators. It is important to note in this regard it is not merely the number of simplification proposals that is at issue, but also the genuine and practical reduction of the administrative burden.

9. believes that by testing the need for intervention at the EU level and by examining the potential impacts of a range of policy options, impact assessments should lead to improvements and simplification of the regulatory environment. An effective and sustainable *ex ante* measurement of new EU law is not only important in achieving a net reduction, but is essential in maintaining the administrative burden at a low level. CoR is concerned however, that subsequent amendments and modifications to legislative proposals by the European Parliament and Council can have far-reaching impacts on local and regional authorities that may not be fully anticipated by decision-takers.

10. believes that judgements by the European Court of Justice can impact heavily on local and regional authorities, for example in the field of public procurement, in ways that might not have been foreseen in the original legislation.

11. considers that if the EU is to be more transparent and responsive to public concerns, it is essential to frame Community legislation in such a way that it is understood by those for whom it is intended. The Committee therefore encourages the European Commission to make texts clearer, more coherent and unambiguous, in order to ensure effective and uniform application in all the Member States. This requirement is all the more important as the texts which are adopted finally are often the subject of compromises which cannot always be transposed easily into national laws.

12. in this regard, recognises also that most local and regional authorities, and their citizens, will be confronted not with EU law but by its transposed form in domestic legislation. Thus there is a need for all levels of governance to simplify, ensure coherence and explain new regulations and policy.

13. is concerned also by the continuing tendency in Member States to complicate and over-elaborate the EU laws when it comes to their transposition into national legislation ('gold-plating').

14. finally, whilst there is understandably much emphasis on *ex ante* impact assessment, *ex post* evaluations comparing intended outcome to actual events should not be neglected as part of the wider better regulation effort. Most of the new proposals seek to amend or add to the existing Community

acquis. As part of an ongoing – and necessary – process to keep legislation fit for purpose, it is important, when framing new proposals, to give due consideration to the valuable experience of local and regional authorities in the application of EU rules.

II. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

Preparation of new laws: consultation

15. calls for local and regional authorities to be better involved by the EU institutions and the Member States in the preparation and finalisation of EU legislation, to a degree commensurate with their powers, so as to strengthen the democratic legitimacy of the decision-making process. The Committee would emphasise that such involvement is of particular interest for regions with legislative powers, bearing in mind their obligation to transpose EU legislation in their respective areas of competence. In this respect, the CoR is the best advocate for the regional and local authorities in their endeavour to be involved in the legislation process. The Committee of the Regions' members have hands-on experience and a detailed knowledge of local conditions, and are therefore best placed to assess the impact and effectiveness of legislation.

16. consultations are needed at all levels of decision-making, both at EU level and within Member States. The latter must have proper procedures for consultation with local and regional authorities.

17. notes the growing importance of the preparatory stage in the EU legislative process. By improving analysis and consultation in this early stage, the EU enhances its chances of creating effective legislation, which is then easier to implement in the differing situations existing in Member States.

Preparation of new laws: impact assessment

18. reiterates its commitment to contribute to the impact assessment of new legislative proposals having a major local and regional impact. Where new proposals seek to modify existing provisions, the impact assessment must reflect the findings of the evaluation, thereby establishing a direct link between the *ex ante* impact assessment and the *ex post* evaluation.

19. being aware that impact assessment is a lengthy and resource-intensive exercise, planning should be as forward-looking as possible, allowing a bilateral identification of priority dossiers on the basis of the Annual Policy Strategy and the Commission Work and Legislative Programme, perhaps in the framework of an annual technical discussion. In addition, European Commission directorates-general should be encouraged to approach the CoR directly when they feel that their impact assessment work needs to be enriched with data on the territorial repercussions of planned initiatives.

20. requests that impact assessments take into account regions with legislative powers and that Community arrangements implying the transfer of such powers to central government be avoided.

21. calls on the European Parliament and Council to better respect the 2003 Inter-institutional Agreement on better lawmaking when amending legislative proposals from the Commission in a way that introduces new administrative and financial burdens on local and regional authorities. Any review of the IIA should involve CoR and ESC.

22. is pleased to have been represented by Ms Maij-Weggen (EPP/NL) in requests that the High Level Group on the Reduction of Administrative Burdens. Suggests that the CoR be officially consulted by the European Commission on the findings of this group before the end of its mandate (August 2010), in order to allow the CoR to communicate the results to all EU regional and local authorities on the topics of their concern.

Implementation and transposition

23. welcomes the intention to reduce the unnecessary burden on SMEs and to reinforce the use of information technology; one of the objectives of simplifying the Union's regulatory environment should be to make legislation simpler and more effective, and thus more 'user-oriented'.

24. recognises that better lawmaking means that the provisions in place must be subject to evaluation from time to time. Thus, all EU legislation must contain, as standard, provisions for evaluation so that all stakeholders can report on their experiences as regards the practical impact, enforcement and application of the measures concerned.

25. calls on regions with legislative powers to recognise that they could benefit significantly from playing a more pro-active role in the negotiation and transposition of EU law. Other types of regions and local authorities also have important roles to play. Further, the Committee urges the Member States to do their utmost to promote active involvement of this kind.

26. underlines that European territorial pacts, like the European Groupings of Territorial Cooperation (EGTC), would

boost territorial coherence and the flexibility of policies with a high local impact. Being an instrument with legal personality and allowing partners to create a stable legal structure for territorial cooperation, EGTC will ensure a greater degree of multilevel governance and enhance better lawmaking on regional and local level all over Europe.

27. calls on Member States to raise their efforts to simplify national legislation and to adopt Community directives properly and swiftly. They should consult local and regional authorities as part of this process and take account of their proposals and initiatives.

28. calls again on national legislators to refrain from 'gold-plating' in the transposition of EU law. In its reports on the correct and timely implementation of EU directives, the Commission could indicate which Member States have opted for more far-reaching national requirements.

29. underlines that the Commission and the Court of Justice should take into account the impact of the Court's judgements on regions and local authorities.

30. calls on the European Commission to define precisely the specific cases which correspond to public authority aid, by placing an emphasis on those issues and situations which lie within the remit of local and regional authorities.

Communications

31. calls on the European Commission to use a more citizens-oriented approach in presenting its better regulation agenda. Efforts and communication should prioritise the areas where citizens see greatest added value.

32. recommends using a clearer language when drafting directives: this would decrease the chances of misinterpretation which could lead to delayed or incorrect transposition.

33. recognises that national legislators and local and regional authorities, and their representative associations, have a role to play in better communicating the EU legislation and its transposition into the domestic law to those who have to implement them and to the ordinary citizen.

Brussels, 3 December 2009.

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE

Opinion of the Committee of the Regions on the future of the Lisbon Strategy post 2010

(2010/C 141/02)

THE COMMITTEE OF THE REGIONS:

- asserts that this high quality of life must be achieved within the **limits of sustainability set by a finite planet** ⁽¹⁾, and premised on achieving a socially cohesive and just society, where the value and contribution of all individuals and groups is optimised, and where incentives and support measures are focused on tackling poverty and social exclusion and building a sustainable economy;
- underlines the importance of a well-financed, EU-wide Cohesion policy involving all regions of Europe, as a key factor in supporting delivery of the new Strategy, and rejects any moves to renationalise structural funds or to remove the regional dimension from cohesion policy in the review of the future EU budget;
- notes that EU Cohesion Policy has an established multi-level governance structure for implementing the Structural Funds programmes, and asserts that the new Strategy should use these existing partnership structures to address the current weaknesses in the governance structures. An explicit alignment of governance structures with the Regional Programmes in the EU Cohesion Policy, provides a far more effective way of ensuring joined up policy making;
- calls for EU leaders to establish, as a core priority, **to develop Europe's competitiveness in the green economy**, to enable the EU to take a leading role in the transformation of the global economy to a sound and sustainable basis. In particular this means leading by example, prioritising investments in new green technologies, R&D, including renewable energy production, energy efficiency, sustainable methods of production and consumption, ICT and broadband infrastructures in remote communities, as well as promoting ecological protection and preservation. Europe's universities, research centres, and SMEs have a key role to play in driving this agenda forward ⁽²⁾. This requires structural changes in the European economy, including co-ordination of macro economic policy and active labour market policies in order to support the move to a green economy.

⁽¹⁾ As argued in the report, 'Prosperity without Growth: the transition to a sustainable economy' by the Sustainable Development Commission in the UK, published in March 2009. See <http://www.sd-commission.org.uk/pages/redefining-prosperity.html>

⁽²⁾ An example of this is 'The Wave Hub', which is being built off the coast of Cornwall in 2010. With financial support from the ERDF this will create the UK's first offshore facility for demonstration in situ of the operation of arrays of wave energy generation devices. The project is a collaboration involving public, private and research sectors.

Rapporteur: Mrs Christine Chapman (UK/PES), Member of the National Assembly for Wales

I. POLITICAL RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

Key messages

1. supports the development of a successor to the current Lisbon Strategy beyond 2010, however, believes there is a need to **re-balance the Strategy** and merge the European Sustainable Development Strategy and Lisbon Strategy; whilst welcoming the commitment to empower people in inclusive societies and create a competitive, connected and greener economy as set out in the Commission consultation on the future of the strategy published on 24 November, is disappointed that the Commission does not propose a more ambitious and overarching vision, to rebalance and re-orientate the strategy towards making Europe a sustainable and socially just and cohesive society;

2. underlines that the current Lisbon Strategy has failed to give sufficient recognition to the essential role played by local and regional authorities across the EU in implementing and communicating the strategy on the ground, and reiterates the call in the White Paper on Multi-Level Governance for this to be redressed in the new Strategy;

3. notes the widespread **uncertainty amongst regional and local authorities about the overall purpose of the current Lisbon Strategy**, which can be addressed by establishing clear objectives in the new Strategy, and communicating these effectively to people on the ground;

4. regrets that the Lisbon Strategy, which was meant to contribute to the Economic and Monetary Union (EMU), has not had the desired impact in terms of improved joint economic governance at EU level or better coordination of the Member States' economic policies; and regrets that in response to the current economic crisis, many Member States have adopted economic policies based on national considerations only, rather than seeking coordinated actions within the framework of the single European market;

5. calls for the new Strategy to have an **explicit overarching objective** focused on a **high quality of life and well-being for all EU citizens**. Employment is a key element of this as is material wealth, however, there are other factors that must be taken into account in order to get a full picture of

quality of life and well-being, including the wider societal and environmental contexts within which people live ⁽¹⁾;

6. asserts that this high quality of life must be achieved within the **limits of sustainability set by a finite planet** ⁽²⁾, and premised on achieving a socially cohesive and just society, where the value and contribution of all individuals and groups is optimised, and where incentives and support measures are focused on tackling poverty and social exclusion and building a sustainable economy;

7. underlines the **crucial role of education and training** in raising awareness of sustainability issues and developing the creative and entrepreneurial talents of Europe's citizens, and the necessity of building a **lifelong learning culture**;

8. proposes the **new Strategy be given a new name** to avoid confusion with the 'Treaty of Lisbon' to highlight the new approach of the Strategy. For example '**Quality of Life for All: Building a Sustainable Future for Europe in the World**' or in shortened version the '**Sustainable Europe Strategy**';

9. calls for a **more effective communication strategy**, involving local and regional authorities, to raise awareness and promote the key messages of the new Strategy;

Current and new challenges

10. asserts that the **current financial, economic, social and environmental crisis** has radically altered the context in which the debate about the future of the Lisbon Strategy takes place, which means 'business as usual' is not the right option. It presents a number of **immediate challenges**, in particular tackling growing levels of unemployment across Europe, notably amongst young people, and addressing the spectre of protectionism. It has demonstrated structural weaknesses in the global economic model and highlighted the need for a new and sustainable approach, in ecological and in social and economic terms, and for tighter regulation of the banking and financial sector;

⁽¹⁾ The New Economics Foundation (<http://www.neweconomics.org/gen/>) have developed 'National Accounts of Well-being' described in terms of the factors that make up personal well-being and social well-being.

⁽²⁾ As argued in the report, 'Prosperity without Growth: the transition to a sustainable economy' by the Sustainable Development Commission in the UK, published in March 2009. See <http://www.sd-commission.org.uk/pages/redefining-prosperity.html>

11. reiterates that before the economic crisis struck Europe, and when the economy was considered to be performing relatively well, **high levels of poverty continued to exist across Europe as well as growing levels of income inequality**. According to figures published by the European Commission in October 2008, 16 % of the European population lives below the poverty line, one in ten people live in a household where nobody works, and 19 % of children live under the threat of poverty⁽¹⁾. Tackling poverty and the growing wealth inequalities in Europe must be one of the core aims of the future Strategy;

12. notes that there are a number of **longer-term challenges** facing Europe, including demographic change, climate change, energy security, globalisation⁽²⁾, and achieving territorial cohesion across the EU, which the new strategy must address. Regrets that territorial cohesion is not given more visibility as a guiding principle in the Commission's consultation paper on the EU 2020 strategy; calls for the Commission, in line with the requirements on Territorial Cohesion set out in the Treaty of Lisbon, to make a commitment to present a territorial impact assessment for all new legislative proposals affecting local or regional authority remits;

13. notes that as a legacy of the crisis, there will be **significant pressure on public finances** over the coming years as a result of the social, financial and economic crisis, it is essential that there is an effective alignment of resources and funding at the local, regional, national and European level, to ensure that the right investments are made that will deliver the broad goals of the new Strategy. To enable municipalities and regions to contribute effectively to implementing the Lisbon strategy, it is essential to ensure that the European Union and the Member States fully respect the principles of the Council of Europe's Charter of Local Self-Government as regards the **financial resources of local authorities** (Article 9);

14. believes that achieving effective social cohesion and meeting long-term challenges both require a territorial approach across all policies, which takes account of the specific characteristics that exist at the regional and local level across Europe. Sufficient resources must also be earmarked from the Community budget to support balanced territorial development in Europe;

15. proposes that the **new Strategy prioritises** investing in a green economy, addresses social cohesion, ensuring a multi-level governance approach, as well as taking a fresh look at how we measure the impact of the new Strategy;

⁽¹⁾ DG Employment MEMO/08/625 Brussels, 16 October 2008. See: <http://ec.europa.eu/social/main.jsp?langId=fr&catId=637>

⁽²⁾ See the Regions 2020 Report published by the European Commission in December 2008.

Investing in the Green Economy

16. calls for the EU's **Climate Change targets and commitments** to be incorporated into the new Strategy, to create a low emissions economy across Europe;

17. calls for EU leaders to establish, as a core priority, **to develop Europe's competitiveness in the green economy**, to enable the EU to take a leading role in the transformation of the global economy to a sound and sustainable basis. In particular this means leading by example, prioritising investments in new green technologies, R&D, including renewable energy production, energy efficiency, sustainable methods of production and consumption, ICT and broadband infrastructures in remote communities, as well as promoting ecological protection and preservation. Europe's universities, research centres, and SMEs have a key role to play in driving this agenda forward⁽³⁾. This requires structural changes in the European economy, including co-ordination of macro economic policy and active labour market policies in order to support the move to a green economy;

18. calls for a **European Green Skills and Green Jobs Strategy**, to provide a framework for investing in the skills and knowledge to support the development of a sustainable economy. Future EU funding programmes, including the Life Long Learning Programme and European Social Fund, should be focused on supporting investments in 'green jobs' and 'green skills', with a particular emphasis on new, dynamic and innovative SMEs⁽⁴⁾;

19. calls for the EU to adopt a **consistent framework of incentives and support mechanisms (Green Better Regulation)** to support development of a sustainable economy across Europe;

20. calls for priority to be given to **sharing best practice** on innovative approaches that create incentives in individual Member States that encourage and reward EU citizens, businesses and public authorities, to adopt green behaviour and penalize 'non-sustainable' behaviour;

⁽³⁾ An example of this is 'The Wave Hub', which is being built off the coast of Cornwall in 2010. With financial support from the ERDF this will create the UK's first offshore facility for demonstration in situ of the operation of arrays of wave energy generation devices. The project is a collaboration involving public, private and research sectors.

⁽⁴⁾ Examples include: 'Capturing the Potential - A Green Jobs Strategy for Wales', published by the Welsh Assembly Government on 9 July 2009; 'Going for green growth: a green jobs strategy for Scotland', published by the Scottish Government in June 2005.

21. reiterates that a **green approach can create a virtual circle**, tackling economic and societal problems. For example recent changes to Structural Funds regulations make it possible to support energy efficiency measures in low-income households;

22. emphasises the **importance of bottom-up initiatives** by local communities to deliver change on the ground ⁽¹⁾;

Social Cohesion and Inclusion

23. underlines the value and importance of **social insurance and social protection systems** that protect the most vulnerable in society, and the need to preserve a strong European Social Model ⁽²⁾;

24. recognises, in accordance with the protocol on services of general interest appended to the Lisbon Treaty, the essential role played by such services, especially social services of general interest, whose organisation and financing must be better safeguarded, as well as the importance of local public services for citizens;

25. calls for actions to tackle **child poverty and cross-generational poverty** in families, and underlines the need to maintain the Barcelona targets on child care services ⁽³⁾;

26. underlines the importance of a **well-financed, EU-wide Cohesion policy involving all regions of Europe**, as a key factor in supporting delivery of the new Strategy, and rejects any moves to renationalise structural funds or to remove the regional dimension from cohesion policy in the review of the future EU budget;

27. calls for a commitment to make more effective use of the existing knowledge and best practice within EU Structural Funds programmes to the benefit of every region in the EU;

⁽¹⁾ The Thisted Municipality in Denmark is an exemplar, where community led action to address climate change has resulted in over 100 % of power consumption and more than 80 % of heat consumption without the use of fossil fuels. See www.climate.thisted.dk

⁽²⁾ A good discussion of this is set out in 'The Spirit Level: Why More Equal Societies Almost Always Do Better' by Professor Richard Wilkinson and Dr Kate Pickett, (Allen Lane, March 2009). The Social Platform is calling for a European minimum wage system, and there have also been calls for the EU to make a commitment to respecting International Labour Organisation-standards on decent work.

⁽³⁾ '... to provide childcare by 2010 to at least 90 % of all children between 3 years old and the mandatory school age and at least 33 % of all children under 3 years of age'. See http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/71025.pdf

28. calls for EU leaders use the 2010 European Year for Combating Poverty and Social Exclusion, to make a commitment to **prioritising social cohesion and social inclusion**, aimed at tackling growing unemployment, disparities in regional economic performance, social exclusion, worklessness, and economic inactivity. The CoR agrees with the Barca Report that EU Structural Funds Programmes are a key tool for tackling social exclusion;

29. calls for action to address the growing spectre of **unemployment among young people**, by prioritising investments in education, training and skills development, including schemes that encourage mobility of young people. We welcome the Council Recommendation on the Mobility of Young Volunteers adopted in November 2008, and support the Commission's proposal for 2011 to be designated the European Year of Volunteering;

30. calls for greater recognition to the **key contribution of women** in the workforce and women as entrepreneurs and innovators. Europe has a long way to go on gender equality as a recent report by the European Commission demonstrates which highlights in particular the gender pay gap as a persistent problem, as well as difficulties in addressing work-life balance and gender stereotypes ⁽⁴⁾ ⁽⁵⁾; hopes, for this reason, that recommendations and incentives are envisaged to keep women in work and get them into work;

31. calls for **greater recognition of the value and contribution of all members of society**. The new Strategy should place a value on the importance of 'civil society', in particular the contribution of the third sector, carers and volunteers to the well-being of others, which often goes unrecognised. Equally the new Strategy should encourage **active ageing** policies and inter-generational initiatives;

32. argues that the future EU Cohesion Policy should include support for **local development initiatives**, targeted at specific urban and rural communities facing particular socio-economic challenges. This approach has been used successfully in the past through initiatives like EQUAL, LEADER, URBAN and within the mainstream Objective 1 and 2 programmes;

⁽⁴⁾ COM(2009)77: Equality between women and men — 2009.

⁽⁵⁾ The Global Economics Paper No: 164 'Women Hold Up Half the Sky' by Goldman Sachs published in 2007 argues that the reduction of gender inequality would increase economic growth. The Norwegian Government introduced a quota to ensure that a minimum of 40 % of the membership boards of all private companies should be women, arguing that quotas make sound economic sense. The World Bank in its Issues Brief 'The World Bank and Gender Equality' (April 2009) argues that poverty cannot be eradicated unless parity of gender is achieved, and calls restricting economic opportunities for women 'bad economics'.

33. welcomes an approach in which state aid rules make it possible to support local and sustainable community based economic production (e.g. through prioritising green procurement, access to broadband infrastructure in remote and rural communities);

Multi-Level Governance

34. underlines the need for the **involvement of local and regional authorities** in shaping, delivering and evaluating the new Strategy;

35. highlights the importance of regional and local authorities in taking a lead in **responding to the financial and economic crisis on the ground**, to address the immediate and short-term challenges ⁽¹⁾;

36. calls for **better co-ordination and cooperation** between the different levels of government in Europe, and for a much stronger regional dimension to the new Strategy;

37. calls on EU leaders to **ensure future EU spending** is aligned towards delivering the key objectives of the new Strategy, applying the success of Lisbon earmarking in Structural Funds across all relevant areas of the EU budget;

38. calls for **stronger incentives for national governments** to commit themselves to delivering the new Strategy's objectives, including as appropriate binding targets, to ensure effective implementation on the ground;

39. welcomes consideration of linking the Strategy to the term of office **of the European Commission and the European Parliament**. There should be a more clearly defined role for the European Parliament as the democratically elected body of Europe in the new Strategy, working in partnership with the Committee of the Regions and the European Economic and Social Committee;

⁽¹⁾ In Wales for example six Economic Summits have been held since October 2008 bringing together all key stakeholders to plan a response to the crisis. The Welsh Government has also used ESF to finance a combination of wage subsidies and training subsidies aimed at employers taking on workers recently made redundant (REACT) or maintaining workers threatened with redundancy (PROACT). The Conference of Peripheral and Maritime Region adopted on 15 July 2009 a manifesto, 'Emerging stronger from the crisis: a European Territorial Pact', which gives recognition of the regional responses to the crisis across Europe, and calls for a special meeting of the European Commission, Member States and regional authorities (including the Committee of the Regions) to discuss the longer term responses to the crisis.

40. notes that EU Cohesion Policy has an established **multi-level governance structure** for implementing the Structural Funds programmes, and **asserts that the new Strategy should use these existing partnership structures** to address the current weaknesses in the governance structures. An explicit alignment of governance structures with the Regional Programmes in the EU Cohesion Policy, provides a far more effective way of ensuring joined up policy making;

41. proposes that these existing partnerships take an **active role in the preparation of the National Reform Programmes (NRPs)**, with the Structural Funds Programmes providing a *regional chapter* to delivery of the overarching goals of the NRPs; expresses concern at the absence of concrete suggestions in the consultation paper on how the EU 2020 strategy will involve local and regional governments, and regional parliaments and assemblies in developing and implementing the strategy and the NRPs;

Measuring the impact of the Strategy

42. notes a **growing level of dissatisfaction at the use of GDP** as the primary indicator to measure economic performance, and calls for new indicators to be developed that provide a more meaningful way of measuring prosperity, well-being and quality of life in Europe ⁽²⁾;

43. calls for such measures to take account of **wider societal and environmental challenges**, including child poverty indicators, income distribution, levels of CO2 and other emissions, impact on biodiversity, and other elements that form part of a broad definition of well-being, and that reflect differences at sub-national level across Europe ⁽³⁾;

44. calls for **local and regional authorities to be directly involved in determining targets and indicators** for the new Strategy. The Covenant of the Mayors signed in January 2009, demonstrates how regional and local authorities can drive forward key policy issues, and be more ambitious in their commitments than national and European levels of government;

⁽²⁾ Of particular interest the Commission on the Measurement of Economic Performance and Social Progress, set up by French President Nicolas Sarkozy, to establish new indicators to measure economic and social progress that go beyond GDP.

⁽³⁾ The Welsh Government's new Sustainable Development Strategy, One Planet: One Wales, establishes five high level indicators for Wales to address each of the core elements of the strategy: (i) ecological footprint (ii) biodiversity (iii) Gross Value Added (equivalent of GDP measure) (iv) low income households (v) well-being.

Evidence-based approach

45. underlines that this opinion draws on the results of the CoR consultation on the future of the Strategy, launched in Prague in March 2009, as well as an active research phase in Brussels, Wales, and the UK. The **Lisbon Monitoring Platform**

contributed a comprehensive analysis of the results of the consultation in a timely manner;

46. considers it essential that the **CoR continues to monitor implementation of the new Strategy** on the ground through its networks, in particular the Lisbon Monitoring Platform.

Brussels, 3 December 2009.

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE

Opinion of the Committee of the Regions on new skills for new jobs — anticipating and matching labour market and skills needs

(2010/C 141/03)

THE COMMITTEE OF THE REGIONS ISSUES THE FOLLOWING RECOMMENDATIONS:

- points out that it is incumbent on the political (national, regional and local) players to bring their influence to bear and ensure that the negative effects of the crisis are eliminated and to prioritise the opportunities presented by a low-carbon economy, and to use an integrated and sustainable approach to promote a revised Lisbon strategy;
- notes that thousands of workers in the Member States have already lost their jobs over the course of the ongoing economic crisis; the emergence of new markets and the relocation of businesses to countries where manufacturing costs are lower will further exacerbate this problem. It is absolutely vital for all employees' skills to be upgraded and matched to labour market requirements;
- believes that high-quality initial education lays the foundation for skills acquisition and increases enthusiasm for lifelong learning. Today's societies, particularly in the European Union, are increasingly developing into knowledge societies, in which there is greater demand for highly qualified employees and the bulk of jobs are to be found in the service sector;
- draws attention to the fact that the shift to a low-carbon economy entailed by climate change and continuing technological development, particularly in the field of ICT, necessitate a restructuring – and in some cases an extensive one – of existing fields. This brings about corresponding changes for the labour market, but at the same time has the potential to create new jobs ('green jobs'), which are often multidisciplinary and require knowledge in many different areas.

Rapporteur: Ms Marianne Fögl (AT/PES), Deputy Mayor, *Marktgemeinde* (market town) of Traisen

Reference document:

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on new skills for new jobs – anticipating and matching labour market and skills needs

COM(2008) 868 final

1. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. welcomes the Commission's commitment with regard to the communication on new skills for new jobs;

2. notes that the most serious financial and economic crisis for decades has already led to a social and employment crisis, which will get worse in the future. Therefore, its impact needs to be anticipated and mitigated⁽¹⁾;

3. points out that it is incumbent on the political (national, regional and local) players to bring their influence to bear and ensure that the negative effects of the crisis are eliminated and to prioritise the opportunities presented by a low-carbon economy, and to use an integrated and sustainable approach to promote a revised Lisbon strategy;

4. recognises that this makes it absolutely vital for an analysis to be undertaken of the development of the European Union labour market over the coming years;

Future challenges

5. emphasises that the European Union and its 27 Member States are facing a variety of major challenges over the next few years, as the basic structures and culture of the industrial and information society evolve into the new practices of the knowledge and innovation society, where the ability to quickly forecast the future is a key factor;

6. notes that thousands of workers in the Member States have already lost their jobs over the course of the ongoing economic crisis; the emergence of new markets and the relocation of businesses to countries where manufacturing costs are lower will further exacerbate this problem. It is absolutely vital for all employees' skills to be upgraded and matched to labour market requirements;

7. believes that high-quality initial education lays the foundation for skills acquisition and increases enthusiasm for lifelong learning. Today's societies, particularly in the European Union, are increasingly developing into knowledge societies, in which there is greater demand for highly qualified employees and the bulk of jobs are to be found in the service sector;

8. takes the view that greater attention also needs to be paid to demographic change and the ageing population;

9. draws attention to the fact that the shift to a low-carbon economy entailed by climate change and continuing technological development, particularly in the field of ICT, necessitate a restructuring – and in some cases an extensive one – of existing fields. This brings about corresponding changes for the labour market, but at the same time has the potential to create new jobs ('green jobs'), which are often multidisciplinary and require knowledge in many different areas;

10. points out that all of these changes have an impact on employees, the labour market and businesses;

11. suggests taking practical, long-term measures, centring on radical action based on close interaction between research, education and innovation (the so-called Knowledge Triangle), supported by cooperation at EU level to exchange experiences and devise appropriate solutions;

Role of Local and Regional Authorities

12. emphasises that local and regional authorities have an important part to play in achieving the goals set in the Commission communication;

13. welcomes the fact that the communication explicitly acknowledges regional variations in skills requirements and labour markets. On top of that, local and regional authorities are the main providers of primary and secondary education, providing the initial training that lays the foundations for additional skills, and they are very often also responsible for the facilities required for mobility and training, such as transport connections, child care and educational establishments;

⁽¹⁾ According to the European Commission's spring forecast of 4 May 2009, the unemployment rate in the EU is expected to rise to 11% by 2010. Both in the EU and in the euro area, employment is expected to fall by around 2.5% this year and by a further 1.5% in 2010. This translates to the loss of around 8.5 million jobs over two years; over the period 2006-2008, in contrast, almost 9.5 million jobs were created.
<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/693&format=HTML&aged=0&language=EN&guiLanguage=en>

14. believes that cross-border job mobility is also a precondition that will provide greater freedom of choice and enable more people to find new and better jobs;

15. emphasises that deeper involvement of local and regional authorities via closer regional cooperation between all interest groups, an analysis of regional labour markets and an estimation of future quality requirements are absolutely indispensable for rural areas with structural weaknesses that are at threat from outward migration and for the outermost regions. It is also vital to draw on the knowledge and experience of local and regional authorities in finding EU answers to these challenges;

16. calls for funds from the European Social Fund (ESF) to be used more efficiently for the regions and local authorities. This will make it possible to ensure that the regions and local authorities get the money they need quickly and directly and that they can better coordinate how the money is used;

Changes in the labour market

17. stresses that the labour market is facing a number of developments, both in the individual Member States and in the European Union as a whole;

18. notes that very few employees nowadays stay in one job for life: a study from 2005 showed that, on average, employees had already had four previous jobs ⁽¹⁾. Many people also alternate between periods of employment and unemployment, and insecure jobs are on the rise; calls therefore for a worker-friendly balance to be struck between the fundamental need for social security on the one hand, and the requisite labour market flexibility on the other (as reflected in the 'flexicurity' concept);

19. believes that job mobility has an important part to play in people's working lives today, with young, highly qualified workers being particularly willing to take on new challenges at work. People who are flexible with regard to jobs and locations are more likely to be able to adapt to new situations and thus to acquire new skills;

20. points out that the population is ageing rapidly, so much so that there could be almost 20 million fewer people in the EU workforce by 2030 ⁽²⁾. Employees therefore need to be equipped, today, with the skills that will enable them to succeed in the labour market of tomorrow, and access to education and further training must be guaranteed. At the same time, there is a need for intelligent migration control systems that take account of the needs of individuals, host countries and countries of origin;

21. draws attention to the fact that demand for highly qualified, adaptable workers with a wide variety of skills (not only technical, but also social and cultural skills such as communication, conflict resolution and such like) is expected to increase over the next decade. The requirements for workers in 'unskilled' and 'semi-skilled' jobs are becoming increasingly similar: overall, ever higher level qualifications are required for these jobs, and demand for lower skilled activities is falling. At the same time, salaries for highly skilled jobs are increasing, whilst those for less skilled jobs are falling. This polarisation in the job market must result in a productivity-oriented pay policy, in order to avoid low-wage sectors. Efforts must be made to use qualifications to give people real opportunities for mobility;

Anticipation of future skills

22. encourages the Member States to develop transparent forecasting and anticipation tools, which they can use to promote the creation of new, knowledge-intensive jobs and develop training according to the skills that are needed on the job market;

23. recommends that both quantitative and qualitative measures should be used, in order to ensure that such forecasting tools are accurate and effective: this will make it possible to forecast accurately what workers and what skills will be needed in the labour market of the future;

24. believes that, in order to be competitive on the labour market, employees must, above all, be flexible, and should be able to respond to unexpected change and have good communication skills ⁽³⁾. At the same time, there needs to be a framework that ensures that the burden of flexibility is not placed entirely on employees: in other words, public authorities at all levels and the social partners must work together to develop ideas on how the need for social security can be meshed with the labour market's need for flexibility. It should also be borne in mind that there must be no promotion of competition for the lowest standard within the EU single market;

25. therefore calls for closer cooperation in this field between businesses, educational and vocational training establishments, local and regional authorities and interest groups. In particular, cooperation between businesses and educational and professional training establishments needs to be fostered, in order to create partnerships to meet medium-term skills requirements. Furthermore, qualitative studies could be used to obtain valuable information on employers' expectations of students and graduates;

⁽¹⁾ Eurobarometer 64.1 on geographical and labour market mobility – September 2005.

⁽²⁾ Council of the European Union, Joint EMCO-SPC Opinion On Active Ageing 9269/07, May 2007.

⁽³⁾ *Origins and Consequences of Changes in Labour Market Skill Needs. Considerations from a European Perspective*. Analytical Report for the European Commission prepared by the European Expert Network on Economics of Education (EENEE), www.education-economics.org p. 25.

26. supports the Commission's view that additional information concerning the situation in the EU Member States is an essential requirement for providing appropriate political responses to the challenges;

27. calls on the European Commission to continue to support cooperation with Cedefop (European Centre for the Development of Vocational Training) and the application of its research results, so as to identify the new skills needed in the labour market and make detailed provision for these;

28. points out that regional differences must be taken into account in gathering and using information, as it is the only way of enabling practical measures to be taken that are in each case tailored to the individual regions in the various EU Member States;

Importance of basic and further training

29. notes that it is necessary to ensure that workers in the labour market of the future have the necessary skills, which means that basic and further vocational training for employees is very important. Universities and other educational and vocational training establishments must place as much emphasis on training in the skills of those already in the workplace as on basic education;

30. points up the need to plan and implement the type of strategies and policies that will bolster lifelong learning and increase flexibility and security in the area of employment;

31. stresses that existing jobs must also be retained and invested in, and businesses therefore have a responsibility to enable employees to undertake in-house basic and further training. Further training increases productivity and economic growth. In this connection, the European Union and the Member States need to take a coordinated approach, not least to provide incentives for businesses and to encourage further training;

32. believes that the Bologna and Copenhagen processes have already made important progress in the European education area. As more skills will in future be needed on the EU labour market, it is important, in the interests of workers' job mobility, for qualifications to be better recognised in the individual Member States;

33. points out that, by 2020, the proportion of jobs requiring high levels of education attainment should rise from 25.1% to 31.3% ⁽¹⁾. On the other hand, the risk of an over-supply of highly qualified workers needs to be countered. Therefore, in parallel with the necessary upskilling, the skills

required on the labour market must be recognised in good time, so that enough such highly skilled jobs can be provided to achieve a balance between supply and demand;

34. takes the view that the implementation of the European Qualifications Framework should increase the transparency of qualifications, facilitate access to further training and improve the flexibility and mobility of employees; in this context, mobility should be seen not just as mobility between different businesses but also, and in particular, as mobility within a business;

35. points out that non-EU citizens and migrants also need to have ways for their training to be recognised, so that the existing skills they have brought with them are not wasted. In this connection, international cooperation (for example with the home countries of migrants in combating the brain drain) is also of considerable importance;

36. calls for the transfer of skills to start at a very early age, as lifelong learning is a habit primarily fostered during initial education, and it is particularly during this stage in their lives that children learn new skills most quickly and easily;

37. believes that cooperation between businesses and educational and vocational training establishments can improve the match between the qualifications and skills needed and the jobs on offer by designing and implementing an EU-wide e-skills programme which can be adapted at local and regional level to fit different needs and situations. Internships and taster days provide additional skills and offer an insight into the world of work;

38. believes that it would be worth considering developing an EU Charter for Internships, which would give young people more rights regarding the gathering and recognition of work experience and make it easier for them to start their working lives;

Social cohesion

39. believes that greater attention should in general be paid to the quality of work, including at EU level. In this connection, it should be remembered that achieving decent work for all has been part of the UN Millennium Development Goals since 2008;

40. stresses that growth and employment are not enough to put the European Union on the road to recovery. Accompanying measures that promote social cohesion must also be developed;

⁽¹⁾ COM(2008) 868 final, p. 8.

41. points out that all people who, due to their interests and physical and mental abilities, are not suited to the demands of the highly skilled labour market must be guaranteed access to the labour market through the necessary employment support and assistance programmes and, where necessary, a decent income, or the applicable minimum income in Member States where such regulations are in place;

42. calls for the equal participation of men and women on the labour market to be fostered by removing all the obstacles that prevent it; a crucial element in this connection is closing the persistent gender pay gap;

43. points out that the ageing population means that demand for staff, and therefore job opportunities, in the caring and social work sector is expected to increase; appropriate training measures and closer cooperation at EU level are therefore important, so that any imbalances between supply and demand within the EU can be rectified;

44. proposes to promote types of employment with flexible working hours that are suited to the skills and health situation of older workers, in order, in particular, to enable older people to stay in the labour market until they reach pension age;

45. believes that cooperation between municipalities, regions, businesses and education and professional training institutions has already produced successful models for further training, recognition of professional experience, broadening skills and job opportunities. The drafting and publication of such best-practice models would be welcomed. In addition, substantial investment must be made in enhancing best practice so that it can be used by everybody to promote concepts, teaching content and teaching, vocational training and learning methods with which skills needed in the workplace can be developed at little extra cost to local authorities (large-scale customisation of ICT use);

46. notes that the existing financial instruments (ESF, ERDF) will need to be amended in order to be able to deal effectively with the changing circumstances on the labour market.

Brussels, 3 December 2009.

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE

Opinion of the Committee of the Regions on regional perspectives in developing media literacy and media education in EU educational policy

(2010/C 141/04)

THE COMMITTEE OF THE REGIONS

- points out that in many cases, local and regional authorities are responsible for introducing media teaching at all levels of formal education. An appropriate procedure should therefore be sought to support local and regional authorities in backing media literacy projects.
- emphasises that Media literacy should be one of the areas covered in the new phase of EU cooperation on education launched by the strategic framework.
- highlights that a clear and substantive distinction must be made between the main components of media literacy, because the development of each component requires its own strategy, players and resources.
- wants to point out that consumers too need better awareness of what media use means. Greater respect for consumer rights is also essential in the media too.

Rapporteur: András Szalay (HU/ALDE), Representative of the Municipality of Veszprém

I. POLICY RECOMMENDATIONS

1. The Committee of the Regions welcomes the European Commission and for setting out not only why training policy is so important, but also its fundamental principles and objectives as per the definition of media literacy ⁽¹⁾. It also took into account the opinion adopted by the CoR at its 8-9 October 2008 plenary session ⁽²⁾.

2. The Committee of the Regions hopes that the European Commission will continue its efforts to pursue the consistent development of the media literacy policy launched in 2007. It urges the Commission, while in so doing, to incorporate the CoR's opinion with due regard for the subsidiarity principle and the specific remits of local and regional authorities. The CoR also calls on the Commission to continue to develop the media literacy action plan in cooperation with the other EU institutions, UNESCO, and the local and regional authorities. In so doing, it should take the following factors into account.

a) From the perspective of cultural policy, active participation of the EU public, and user awareness, the attainment of media literacy as a key policy objective must be vigorously pursued by all relevant parties and is primarily contingent on the promotion of innovations in education by all regions and Member States.

b) According to the EC treaty, responsibility for education and training policy lies exclusively with Member States, while the EU's role is to support the improvement of national systems where necessary through complementary EU-level tools, and exchange of information and good practice. This is something the European Commission also stresses in its 2008 communication entitled *An updated strategic framework for European cooperation in education and training* ⁽³⁾.

c) The strategic framework for education and training ⁽⁴⁾ considers – questionably – media literacy to be a branch of digital competence, whereas it can play a crucial role in the implementation of many objectives and priorities mentioned in the strategic framework (such as basic

reading skills, learning-to-learn, active citizenship, fostering intercultural dialogue, and lifelong learning).

d) The strategic framework identifies the following immediate priorities ⁽⁵⁾:

— the development of transversal key competences;

— measures facilitating the development of an innovation and creativity-friendly institutional environment underpinned by a critical and reasoned use of new information and communication technologies (ICTs) and improving the quality of teacher training;

— the establishment of partnerships between institutions and businesses that provide education and training, research institutions, cultural actors and creative industries.

These priorities are closely interlinked with considerations about media literacy development.

e) In many cases, local and regional authorities are responsible for introducing media teaching at all levels of formal education. An appropriate procedure should therefore be sought to support local and regional authorities in backing media literacy projects, programmes and charters, including the different partnerships between the large number of public- and private sector stakeholders involved and between cultural and educational institutions and professional content producers, all within the context of both formal and non-formal education and in strict compliance with legal provisions.

3. The Committee of the Regions therefore, calls for media literacy to be made the ninth key competence in the European reference framework for lifelong learning set out in Recommendation 2006/962/EC. There is no need to release major Community resources for this purpose, and this type of change to the key skills centre would greatly help the authorities responsible for formal education in the Member States and regions to take the necessary decisions to incorporate media literacy into curricula.

⁽¹⁾ In this area, the Commission has drawn on the European Parliament resolution on *Media literacy in a digital world*, adopted on 16 December 2008, 2008/2129(INI).

⁽²⁾ CdR 94/2008 fin on the Communication from the Commission on *A European approach to media literacy in the digital environment*.

⁽³⁾ COM(2008) 865 final.

⁽⁴⁾ COM(2008) 865 final.

⁽⁵⁾ COM(2008) 865 final.

4. The European Commission should make a clear distinction between Internet-assisted learning – online or e-learning – and moves to foster media literacy, in other words, the ability to assess the Internet critically as an online medium. It should be made clear that e-learning is not the same as media education and that ITC and digital skills are not the same as media literacy. The media literacy, has to enable people to play an active role and to maintain cultural diversity and regional and local identity (by creating new opportunities for people to voice their opinions, for example, and by giving those who are marginalised and minorities the chance to express themselves in the local public arena).

Basic premises

5. The CoR would point out that developing media literacy, combined with adapting teaching methods to the media in schools and beyond is particularly important for Europe's future. Adaptation will also involve promoting the teaching of new communication technologies, which are vitally important to social and professional integration.

6. Developing media literacy is a key aspect of protecting minors and young people and safeguarding human dignity in the media. Indeed it leads to an informed use of the media and the development of self-regulation and co-regulation within the content industry⁽¹⁾. Nevertheless, the improvement of media literacy can only complement national and supranational monitoring and the legal protection afforded to young people (in relation to the media). This skill brings citizens into the debate on the responsibility of all components of society, thereby fostering the emergence of active and media-literate citizenship. As such, it is vitally important to European cultural policy and the active participation of EU citizens. This is why we need to raise the profile of EU media education policy in all Member States and at all administrative and political levels.

7. Education for young people living in a media-saturated environment requires qualitatively new approaches that also take into consideration the different socio-cultural roles played by the media and schools in disseminating information and values. The teacher's role must reflect the fact that students are unconsciously socialised into a world of ready answers where simplistic media debates provide them with an interpretation for every issue. As a result, developing basic skills must also cover the interpretation of media content since developing a critical mind mainly concerns models presented by the media and ingrained since childhood, which unconsciously determine how we see the world.

8. When applying the open method of coordination to the definition of new indicators and benchmarks for teaching and training, the following points should be borne in mind.

a) Monitoring reading and comprehension should also cover these skills as they relate to media content, since in today's electronic and digital environment, these contents are presented in a combination of text, pictures and film.

b) When defining the benchmarks for evaluating the promotion of creativity and innovation, it should be borne in mind that involvement in projects aimed at developing creative content writing is a basic form of problem solving and team work.

9. One of the main reasons for current slow progress in media education is the fact that the link between media literacy and digital literacy in European educational practice has not been clearly established. In practical teaching, ICT is used mainly as a means of securing access to the digital world and promoting equal opportunities. Nowadays, young people do not have the slightest difficulty in acquiring the knowledge they need to use IT tools and basic software or to master simple applications. At the same time, teachers do not have – and have little time to develop – the necessary skills to give a critical interpretation of media content available in digital form (among others) and engage in creative production, albeit these are the key components essential to media literacy.

10. There is an urgent need to rethink the link between computer literacy and media literacy, to ensure that confusion in distinguishing these skills does not lead to shortcomings in the educational system. In addition to digital skills, young people must be helped to develop greater critical capacity and skill in relation to media content, so as to teach them to take account of concerns relating to security and to be aware of the need to respect people's private lives and of problems relating to data manipulation.

11. In consultations on media literacy education and training policy, the following factors are important:

— There needs to be greater transparency about the activities of expert groups and of those responsible for conducting the preparatory work, drafting proposals and taking decisions within the European Commission's directorates-general.

⁽¹⁾ The CoR would refer here to its opinion on the *Future of European regulatory audiovisual policy* (CdR 67/2004 fin) and its opinion on *A European agenda for culture in a globalising world* (CdR 172/2007 fin).

- Media literacy training policy must be based on a real understanding of the situation that also takes due account of regional viewpoints.
- The recommendations and action plans adopted should also mean something to the different (and differently minded) stakeholders involved in developing media literacy (governments, public authorities, regional and local authorities, content industry representatives, researchers, cultural and educational institutions, NGOs and civil society organisations). Their adoption should be backed by the necessary resource planning.

12. Media literacy should be one of the areas covered in the new phase of EU cooperation on education launched by the strategic framework.

Comments

13. While endorsing the European Parliament resolution, which emphasises that media literacy is an absolutely crucial skill for everyone living in an information and communication society ⁽¹⁾, the Committee of the Regions considers that the goal should be to achieve a society that has taken media literacy fully on board, and that media education is the way to attain this. It therefore notes that it is absolutely essential to ensure equal access to the Internet for all European citizens, especially those at a disadvantage because of geographical separation or remoteness.

14. A clear and substantive distinction must be made between the main components of media literacy, because the development of each component requires its own strategy, players and resources. It is therefore essential to:

- secure public access both to the requisite technology (including broadband Internet, electronic imaging and word-processing software) and to the European, national and local audiovisual heritage. Shared historical and cultural heritage must be accessible to the public in their native language, in line with the 2006 Riga declaration on e-inclusion and the CoR's recommendations on the subject ⁽²⁾;
- boost the skills needed to select appropriate media content and to, make informed, consistent choices, particularly on the Internet, in relation to information, media text and advertising that is impossible to verify in the absence of duly authorised and monitored webmasters (for example publishers, editors and critics);

- develop a critical view of the media industry and media production, paying particular attention to (i) ongoing research and the application of methods aimed at developing the skill of understanding audiovisual and non-linear content, (ii) the conclusions drawn from disciplines such as the economics, anthropology, sociology and psychology of the media in relation to their operating procedures and social role and (iii) the fundamental issues underpinning media regulation;

- develop the active and creative use, especially through project-based practical implementation, of the necessary technical and manual skills, actions and knowledge. The focus should be on audiovisual communication and on creating, presenting and broadcasting audiovisual content by means of digital technology;

- encourage participation in local public life, not least by raising awareness of issues relating to privacy protection, individuals' rights in respect of the processing of their personal data and the public interest;

- encourage the public to be more aware, when using media, about general issues of copyright, privacy and media law, as well as the criminal and civil law consequences of possible infractions;

- improve the public's ability to handle their personal data carefully on the Internet and, especially, make children and young people aware of the various sources of danger in the new media.

15. The CoR, whilst not questioning the crucial importance of the areas addressed by the EC when referring to the good practices (commercial communication, audiovisual production and online content), considers that it would be desirable to give these thematic priorities a substantive base in the upcoming recommendations. Otherwise, media literacy could, in practice, be confined to these three areas.

16. The development of skills such as intelligent information searching, critical content interpretation and creative Internet use may be expected to help protect minors and young people and secure respect for human dignity in the media. In tandem, therefore, with the regulatory provisions adopted by the public authorities, priority should be given to stepping up measures to boost media literacy in these areas.

17. Consumers too need better awareness of what media use means. Greater respect for consumer rights is also essential in the media too.

⁽¹⁾ 2008/2129 (INI).

⁽²⁾ CdR 5/2008 fin and CdR 252/2005 fin – opinion on digital inclusion and opinion on the theme i2010 – A European Information Society for Growth and Employment.

18. The Committee of the Regions wishes to emphasise that moves to foster critical media literacy will not, of themselves, be enough to eliminate the various detrimental aspects of content provision, such as gratuitous violence in the media, the breach of consumer rights by media services, the lack of authenticity and validity, and manipulation). Moreover, media literacy only has a limited or no influence on trends such as media convergence or the development of, access to and interlinking of digital archives, copyright reform, regulation in this field, and even online administration⁽¹⁾. Media literacy addresses these trends, puts them in context and prepares users to be citizens who are aware of what is produced in the public sphere and in the media. Regulation at the appropriate level, with due regard to the competencies and experience of local and regional authorities, is therefore necessary in addition to the development of media literacy.

19. Any future recommendations and action plans should make provision for schemes to foster the main elements of media literacy. These schemes should also be of practical use in Member States' education and training systems (including media education), taking due account of Member States' different educational and cultural traditions, the major disparities resulting from different types of training within the various regional set-ups and the provisions in place within each system to make economies of scale.

20. It is crucial, when drawing up recommendations and action plans, to take account of best practice; in this context the Committee would draw attention to its opinion⁽²⁾ in which it commends the stepping-up of Commission action aimed at harnessing the know-how acquired through local and regional programmes on media literacy issues throughout the EU by promoting platforms for dialogue, events and networks for exchanging best practice.

21. The Committee of the Regions wishes to express its concern, however, at the following aspects:

- since throughout the EU there is no monitoring taking place, there is no guarantee that good media literacy practices will be implemented;
- no provision is made to rank best practice in line with the main components of media literacy;
- the issue of a detailed critical assessment of the effectiveness of implementation has not been resolved;
- no database is available to foster the large-scale development, fine-tuning and deployment of best practice.

⁽¹⁾ On this point, the reader is referred to the CoR opinion entitled *i2010: Digital Libraries*, CdR 32/2006 fin.

⁽²⁾ CdR 94/2008 fin.

The appropriate organisational and professional infrastructure thus needs to be put in place: to this end, steps could, for instance, be taken to establish media literacy desks could be along the lines of the media desks in place under the MEDIA programme (alternatively, the scope of these existing desks could be extended), or to enhance or even expand the professional consultative remit of the media literacy group set up by the European Commission.

22. Whilst abiding by the subsidiarity principle and respecting their independence, the European Commission can help the Member States when necessary, to draw up their own national media literacy strategies, taking due account of the main elements involved; where possible, this should secure the involvement of the media regulation authorities, education policy decision-makers and representatives of local and regional authorities, civil society, the content industry and media literacy innovation in drawing up this national strategy.

23. Given the differing circumstances in the Member States and regions, media literacy under the relevant recommendations and action plans must be pursued in such a way that it can also be applied within the local socio-economic context. This will, however, require a more detailed study of the national and even the regional position in order to secure a clearer picture, not least as regards the motivation and practical stance of local authorities, the institutions' funding bodies and media literacy teachers.

24. Given the rapidly changing nature of the media environment, media literacy should be subject to ongoing research and assessment, involving authorities in the various Member States responsible for regulating audiovisual and electronic communication and fostering cooperation between them to improve media literacy.

25. The Committee of the Regions calls on the European Commission to encourage the establishment of regional research and information departments, within the administrative structures of local and regional administrations, tasked with examining media literacy issues.

26. Local and regional authorities are the key players in fostering media literacy, since they are the closest to grassroots concerns, not least given their involvement in the organisation of many educational establishments, in running local media and other cultural institutions (such as libraries, community cultural centres, etc.) and managing European or other development funds. There are thus grounds for launching information campaigns aimed at the regions and local authorities, underpinned by EU recommendations and best practice, and for boosting opportunities for media literacy cooperation in the Euroregions and cross-border areas.

27. Local and regional authorities must be encouraged to support the media literacy projects, programmes and charters, primarily with the following aims in mind:

- a) a snapshot of the current position
 - an assessment of the actual state of play as regards media literacy, in the light of existing cooperation and partnership arrangements;
- b) networking, integration
 - a link-up of all players in a given area – the media industry (film, television, press, radio, Internet content suppliers and producers), media organisations, education systems, regulators, cultural and research institutes, social organisations;
- c) a more institutionalised approach
 - the establishment of public services and offices to foster media literacy;
- d) guidance and information
 - media literacy campaigns, support for media literacy desks operating at the regional level, in order to identify and disseminate best practice and provide public information;
- e) active participation, local representation
 - incentives, promotional policies, provision of tools, skills and media platforms to enable the public to generate media content, paying particular attention to disadvantaged social groups, minorities and people with a disability;
- f) cooperation
 - involvement in national and regional cooperation networks in the EU;
- g) dialogue
 - initiatives by public authorities to encourage the involvement of civil society organisations, a social broad debate on media literacy;
- h) regional education policy, regulating teaching
 - local and regional authority action to bring media literacy into all levels of formal education, incentives to secure the

incorporation of media literacy into the training of teachers and instructors and, as an integral part of curricula, into all levels of education and also in lifelong learning programmes;

- i) establishment of and support for partnerships

the establishment of media literacy partnerships between the content industry and teaching/training institutions as part of both formal and non-formal education and training (for example, cooperation projects between local media, businesses and teaching/training establishments, media literacy campaigns and festivals), making sure a close watch is kept on the nature of the involvement and the material interests of the media industry in organising this type of partnership, as well as on strict compliance with the legal framework in place.

28. The Committee of the Regions calls on the European Commission to put the arrangements for funding training policy, supporting pilot projects and fostering research in the field of media literacy on a new footing, since media literacy can benefit from better funding under existing schemes (such as Comenius regional cooperation projects) or under future initiatives. As targeted and multicentre resources have to be available from the outset if the goals set are to be achieved, the Committee of the Regions agrees with the European Parliament⁽¹⁾ and considers that a media literacy sub-programme should be incorporated explicitly and in a targeted manner into other EU support programmes, especially the Comenius, *Education and lifelong learning*, *eTwinning* and *Safer Internet* schemes and European Social Funds programme.

29. Especially welcome is the fact that the European Commission has, with a view to long-term promotion, started to draw up media literacy indicators. At the same time, however, the Committee of the Regions hopes that these media literacy indicators will not simply provide figures on the form and duration of media use, since assessing media literacy also means working out ways of measuring an individual's skills (although in this area, a degree of scepticism about the use of figure-based indicators is understandable given the difficulty, in quantitative terms, of expressing creative and critical knowledge and the skills needed to 'rank' content in measurable yardsticks).

Brussels, 3 December 2009.

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE

⁽¹⁾ 2008/2129 (INI).

Opinion of the Committee of the Regions on ICT infrastructures for e-Science; a strategy for ICT R&D, innovation and research on future and emerging technologies in Europe

(2010/C 141/05)

THE COMMITTEE OF THE REGIONS

- encourages the European Commission and the Member States to take all necessary measures to ensure that local and regional authorities are fully and effectively involved in the governance of ERA-related initiatives;
- considers that European-scale ICT projects spanning from R&D to deployment have the potential to deliver substantial socio-economic benefits for their associated cities and regions;
- calls for the Commission and the Member State governments to actively foster the involvement of LRAs in the various stages of R&D processes as well as the use of ICT innovations in the public sector, namely by promoting best European practices and providing advice and methodological recommendations;
- strongly emphasises the particular importance of the service sector in drawing the benefits from ICT, since industries such as the wholesale and retail trade, financial and business services are among the most important investors in ICT.

Rapporteur: Liudvikas Žukauskas (LT/EPP), Skuodas District Municipal Council

Reference documents

COM(2009) 108 final

COM(2009) 116 final

COM(2009) 184 final

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. points out that information and communication technologies, underpinning an information society which is open to all, should meet the needs of all citizens, including those at risk of social exclusion. In this regard, the CoR has consistently called for investment in research at local, regional, national and European level in order to ensure growth and foster new businesses and believes that the use of ICT in innovation can address key socio-economic challenges;

2. encourages the European Commission and the Member States to take all necessary measures to ensure that local and regional authorities are fully and effectively involved in the governance of ERA-related initiatives. In the field of ICT research the significance of the regions stands out. They are key players in developing regional research and innovation strategies; they often govern research institutions; they have universities and other research institutions established in their territories and they foster innovative environments. Moreover, many regional governments and administrations have legislative powers and so deal themselves with their own allocated research budget;

3. points out that the promotion of e-Inclusion, meaning an inclusive, regionally and socially equitable information society, which uses ICT for increasing competitiveness and enhancing public services, has been identified by the CoR as a key objective within the EU's renewed Lisbon Strategy;

4. stresses that local and regional authorities are amongst the main recipients of the i2010 e-Inclusion initiative's proposals and can be key drivers for its implementation. E-Inclusion at local and regional level can enhance people's quality of life and drive socio-economic activity among the public, while fostering regional and more efficient and personalised public services as well as local businesses. Therefore local and regional authorities need to be partner in involving all generations in society, into ICT initiatives aiming at making their life easier and more comfortable. Several means are available to regions and cities to ensure that this potential is fully exploited;

A Strategy for ICT R&D and Innovation in Europe: Raising the Game COM(2009) 116 final

5. welcomes the fact that in this Communication the Member States and the regions are recognised as the main promoters of closer cooperation between users and producers of ICT innovations in different corners of government and administrations, which should lead to shared roadmaps of public service needs that ICT can help address⁽¹⁾. The CoR has already expressed the view⁽²⁾ that local and regional authorities should participate in wide-ranging cooperation to improve public administration interoperability and the effectiveness of public service delivery;

6. supports the Commission's conclusion that the success of the efforts to facilitate the emergence of markets for innovation and achieve interoperability and common standards depends on the continued support and participation of national, regional and local authorities, and that these efforts should be supplemented by actions at regional and local level⁽³⁾;

7. welcomes the Commission's ambition to simplify procedures and reduce the administrative burden to make it more attractive for innovative companies, in particular local SMEs, to participate in local, national and EU-level actions;

8. considers that European-scale ICT projects spanning from R&D to deployment have the potential to deliver substantial socio-economic benefits for their associated cities and regions. The CoR has already stressed that ICTs play an important role in implementing the EU's Sustainable Development Strategy;

9. advocates that Europe's full potential for developing ICT services in the public and private sectors be fully exploited, and thus that ICT be used as a means of improving local and regional authorities' services in fields such as healthcare, education, job creation, public order, security and social services. The EU-supported public-private-partnership among local and regional authorities (LRAs) and ICT development SMEs in the area of public ICT services can serve as an excellent cornerstone for building local competences and knowledge EU-wide;

⁽¹⁾ COM(2009) 116 final.

⁽²⁾ CdR 10/2009 fin.

⁽³⁾ COM(2009) 116 final.

10. highlights that local and regional authorities can and do take leadership in using ICT for increasing energy efficiency and play a leadership role in identifying local ICT opportunities for sharing technological best practices, for identifying project partners and for allocating funding;

11. calls for the Commission and the Member State governments to actively foster the involvement of LRAs in the various stages of R&D processes as well as the use of ICT innovations in the public sector, namely by promoting best European practices and providing advice and methodological recommendations;

12. strongly emphasises the particular importance of the service sector in drawing the benefits from ICT, since industries such as the wholesale and retail trade, financial and business services are among the most important investors in ICT ⁽¹⁾;

13. notes that ICT has emerged over the past decade as a key technology with the potential to transform economic and social activity, thus contributing to sustainable development and enhancing competitiveness. However, policies to bolster ICT will not on their own lead to stronger economic performance and ⁽²⁾ cannot be realised without the active support and participation of the local and regional authorities;

14. underlines the need for the social partners, LRAs and government to work together to ensure that a virtuous circle of human resource upgrading, organisational change, ICT and productivity is set in motion and that ICT are developed and used effectively. Policies aimed at enhancing basic literacy in ICT, building high-level ICT skills, fostering lifelong learning in ICT, and enhancing the managerial and networking skills needed for the effective use of ICT, are particularly relevant ⁽³⁾ and belong to the core competencies of the local and regional authorities;

15. fully agreeing with the notion that researcher mobility is a principal factor for making ICT research careers more effective

and in most of the cases more attractive, the Committee underlines that

— interest in research and innovation needs to be promoted in society, particularly among the young. The Member States should seek to adapt their national curricula in a way that would familiarise students with the potential of ICT in science and research, starting from early schooling programmes. LRAs, as the tier of governance directly responsible for organising education, should be an integral part of this process, combining local expertise and the European support measures to be developed in this field. The Commission should seek for an opportunity to develop adequate support mechanism;

16. points out that it is also necessary to attract excellent academics from outside Europe and therefore emphasises the importance of EU mobility programmes such as the Marie Curie programme and measures that have been taken in some regions to support returning academics ⁽⁴⁾;

17. recalls the conclusions of the ERA expert group ⁽⁵⁾ concerning the increasing importance of national and regional stakeholders in developing major new European initiatives such as ERA-NETs, Eurostars, EIT or Joint Technology and Cluster;

18. suggests that all players, the EU, the Member States and the regions should explore all possible means of achieving complementarities between existing policies and cooperation instruments and establishing the mechanisms which will ensure that existing coordination programmes support ICT research to the full ⁽⁶⁾. More specifically, as the CoR has stated in previous opinions ⁽⁷⁾, it calls for a coordinated use of FP7, SF and CIP, as this is essential for the competitiveness of the EU and the mutual synergy between cohesion, research, higher education and innovation policies at national and regional levels;

19. would like to underline that coordination of major EU instruments such as FP7, SF and CIP, is not only a question of political intentions, but also a challenge in terms of policy coherence. Ensuring policy coherence in the case of multi-level and multi-stakeholder programmes requires the existence of an efficient multi-level governance system ⁽⁸⁾;

⁽¹⁾ The Economic Impact of ICT Measurement, Evidence and Implications
<http://browse.oecdbookshop.org/oecd/pdfs/browseit/9204051E.PDF>

⁽²⁾ The Economic Impact of ICT Measurement, Evidence and Implications
<http://browse.oecdbookshop.org/oecd/pdfs/browseit/9204051E.PDF>

⁽³⁾ The Economic Impact of ICT Measurement, Evidence and Implications
<http://browse.oecdbookshop.org/oecd/pdfs/browseit/9204051E.PDF>

⁽⁴⁾ CdR 83/2007 fin.

⁽⁵⁾ Report of the ERA Expert Group 'Opening to the world: International Cooperation in Science and Technology'.

⁽⁶⁾ CdR 283/2008 fin.

⁽⁷⁾ CdR 263/2007 fin.

⁽⁸⁾ CdR 263/2007 fin.

20. points out how important it is for the regions to make optimum use of FP7 coordination instruments. This would enable the regions to strive for excellence and European or international competitiveness in their research and innovation systems. This includes improving regional networking between research institutes, universities, SMEs and other relevant actors; creating clusters, regional technology platforms and poles; and helping the regional players connect with collaborative EU research and innovation projects and agendas such as ERA-Net and the European Technology Platforms ⁽¹⁾;

21. welcomes the opportunity for a greater acknowledgement of the role played by local authorities in supporting ICT research. Regions and cities can facilitate the market entrance of new products and foster innovation and research through pre-commercial procurement;

22. stresses that LRAs can also drive demand for new ICT-based solutions and therefore create new markets for the European research landscape. Furthermore, regions and cities may also adjust their R&D investments to support certain high-impact areas, linking such efforts into existing and emerging local industries and clusters, thus helping tackle economic recession and underinvestment in R&D;

23. points out the general lack of coordination of efforts in a number of different layers like education, innovation, research, investment and marketing of innovative ICT solutions. In this regard, the concept of user-driven innovation can serve as a key tool for improvement, which is being used in more and more regions and cities across Europe, and has proven to be a central driver of R&D investment and market entrance of new innovation; therefore, calls that this concept is more prominently present in the European Commission's Communication;

24. underlines the importance of closely linking R&D and industrial practices, and therefore urges the Member States and the Commission to make every effort to promote the rapid transfer of research into daily commercial and public practices;

Moving the ICT frontiers - a strategy for research on future and emerging technologies in Europe COM(2009) 184 final

25. stresses that the process of building up research and innovation potential for moving the ICT frontiers can only succeed with the involvement of cities and regional authorities. Given their physical proximity, they are the main catalysts for knowledge and innovation in Europe. An increasing number of

European regions are making research and innovation a top priority of their public funding ⁽²⁾;

26. notes that, in the context of their research policies, through supportive programming, and structural and legislative framework conditions, the regions make a significant contribution to creating added value in the field of research and to the creation of a living European research area ⁽³⁾;

27. points out that in terms of strategy, networking and cluster initiatives continue to emerge, while support for them is also evolving with a view to creating world-class 'nodes' to link to global innovation chains, therefore, linkages and cooperation between regions both within and across countries are becoming increasingly important ⁽⁴⁾;

28. draws attention to the major importance of cities and regions in developing innovative environments through local innovation policies, technology centres, business incubators, science parks and venture capital ⁽⁵⁾;

29. welcomes the strategy proposed by the Commission to identify and launch two or three bold new FET research flagship initiatives which will drive larger multidisciplinary research community efforts towards foundational breakthroughs at the frontier of ICT;

30. recognises that Joint Programming, if well structured and governed, has the potential to become a mechanism that is at least as important as the EU Framework programme in terms of promoting FET research. In order to fully exploit this potential, the CoR would again point out the growing need to better coordinate public and private research funding ⁽⁶⁾;

31. stresses that the EU and the Member States should exploit all opportunities for streamlining and enhancing the synergies between the raft of existing trans-national policy instruments and collaboration mechanisms, adapting them in line with the European Research Area ⁽⁷⁾;

32. reiterates that the ERA-Nets coordinating regional and European research programmes have demonstrated their value and should be developed further ⁽⁸⁾, with the success of the ERA-NETs stemming from the inclusion of a wide range of stakeholders, including local and regional authorities;

⁽¹⁾ CdR 263/2007 fin.

⁽²⁾ CdR 263/2007 fin.

⁽³⁾ CdR 83/2007 fin.

⁽⁴⁾ OECD *Science, Technology and Industry Outlook 2008 – Highlights*.

⁽⁵⁾ CdR 83/2007 fin.

⁽⁶⁾ CdR 83/2007 fin.

⁽⁷⁾ Report of the ERA Expert Group 'Optimising research programmes and priorities', see annex.

⁽⁸⁾ CdR 83/2007 fin.

33. calls for further efforts to enhance the openness and transparency of the European Technology Platforms, to ensure the involvement of other stakeholders beyond industry and the research communities, such as local and regional authorities, civil society organisations and SMEs ⁽¹⁾;

ICT Infrastructures for e-Science COM(2009) 108 final

34. believes that the regions and local authorities play a crucial role in the European Research Area (ERA) in that they serve those representing local interests, bring this policy to the European people and are in touch with stakeholders' day-to-day concerns. The CoR therefore argues that the regions should play a strategic role in initiatives to strengthen and enlarge the ERA, especially in those which involve setting up robust research facilities in innovative settings and cooperating in research ⁽²⁾;

35. reiterates the CoR's suggestions to the Commission and Member States to support regional and local authorities in applying for, building and implementing modern research infrastructures:

- to make sure the regional and local authorities are more fully involved in developing the European Strategy Forum on Research Infrastructures (ESFRI) ⁽³⁾ roadmap, and, especially, in prioritising the 35 key projects of European interest already approved;
- to take into account the importance of the regional and local authorities and their involvement in ERIs; and
- to make sure that local and regional authorities are truly involved in efficient governance of the ERIs ⁽⁴⁾;

36. highlights the importance of the regional and local authorities in promoting joint research programmes, including

those with third country participation, as LRAs are more in touch with the specific local situation in terms of science, technology and the economy, and therefore know when cooperation on areas of strategic importance is required ⁽⁵⁾;

37. considers the issue of implementing and financing the European Roadmap – which currently contains 35 key projects of European interest to be developed in the next 10-20 years ⁽⁶⁾ – to be an important milestone in the creation of a European Research Area;

38. recalls the criterion of excellence to be at the forefront when implementing the European Roadmap and has urged the new Member States to be more closely involved in this initiative ⁽⁷⁾;

39. supports the recommendations of the ERA expert group ⁽⁸⁾ that ESFRI should further improve its methodology for assessing large-scale pan-European research infrastructures, particularly with regard to the transparency of procedures and the involvement of relevant stakeholders;

40. points out the need for local and regional authorities to be fully involved in the implementation and revision of the ESFRI Roadmap, in particular with regard to the necessary prioritisation of the projects and the coordination between the ESFRI roadmap and similar activities at national/regional level, integrating both physical and virtual facilities;

41. stresses the need for the widest possible public to receive information on the opportunities provided by e-Science to the widest possible public, including the creation and promotion of public databases on best e-Science practices, examples and available successful solutions, while ensuring the provision of relevant information in all official EU languages.

Brussels, 3 December 2009.

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE

⁽¹⁾ European Commission, March 2007: Third status report on ETPs, chapter 4.1.

⁽²⁾ CdR 283/2008 fin.

⁽³⁾ European Strategy Forum on Research Infrastructures, <http://cordis.europa.eu/esfri/home.html>

⁽⁴⁾ CdR 283/2008 fin.

⁽⁵⁾ CdR 283/2008 fin.

⁽⁶⁾ <http://www.riportal.eu>

⁽⁷⁾ CdR 263/2007 fin; CdR 83/2007 fin.

⁽⁸⁾ Report of the ERA Expert Group 'Developing World-class Research Infrastructures for the ERA'.

Opinion of the Committee of the Regions on university-business dialogue

(2010/C 141/06)

THE COMMITTEE OF THE REGIONS

- reaffirms that at the current time, when the EU is seeking to minimise the impact of the current economic downturn and set the course for renewed growth, it is important, given the crucial importance of education and training systems to the Lisbon Strategy and the renewed Social Agenda, to provide a platform for dialogue between significant stakeholders in both education and the economy.
- highlights the importance of university-business dialogue at all levels of governance as an important tool to fully use the potential for regional economic and social development.
- stresses that throughout the European Union local and regional levels have key responsibilities for education and training policy, and reiterates that local and regional authorities are key players in developing regional research and innovation strategies, often managing research institutions and supporting innovative environments.
- underlines the need to focus on the role of higher education in local and regional development and the promotion of cooperation between higher education institutions and local and regional authorities, with the involvement also of local and regional economic and social players.

Rapporteur: Mohammad Masood (UK/EPP), Member of Bradford City Council

Reference documents

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - A new partnership for the modernisation of universities: the EU Forum for University Business Dialogue

COM(2009) 158 final

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. acknowledges the wealth of ideas, often closely connected to initiatives at the local and regional level, and the quality of the reflection generated in the framework of the university-business dialogue so far;
2. highlights the importance of university-business dialogue at all levels of governance as an important tool to fully use the potential for regional economic and social development;
3. recognises the importance of the Knowledge Triangle, consisting of interaction between research, education and innovation, as means of increasing innovation capacity and improving employability of graduates in Europe;
4. recognises the transition from technology transfer through knowledge exchange to knowledge sharing and open innovation systems and that more research is required into the social processes and behaviours that underpin these emerging systems;
5. stresses that throughout the European Union local and regional levels have key responsibilities for education and training policy;
6. reiterates that local and regional authorities are key players in developing regional research and innovation strategies, often managing research institutions and supporting innovative environments;
7. stresses that policy development and programme implementation should utilise existing local democratically elected bodies. Using local knowledge and democratic accountability will improve the governance mechanisms for partnerships between university, business and local government. This will enable local prioritisation and accountability linked directly to the principle of subsidiarity;
8. notes that local and regional authorities are therefore among the main stakeholders in policies and initiatives to deepen and more importantly widen the European Research Area, in particular its vision of strong research and academic institutions embedded in innovative environments;
9. welcomes the fact that in the past decade many universities in Europe have formally incorporated regional economic development into their mission statements. Regional development agencies are also including policies which support partnerships between universities and industry in regional economic strategies;
10. points out that the modes of policy interaction are critically important at the regional level and often need vertical coordination between the administrative levels (European, national, regional) and horizontal coordination between the regions to avoid duplication and to learn from each other;
11. stresses the need to align new and proposed initiatives and programmes, such as the European Research Area (ERA), the European Institute of Technology (EIT) and the Lifelong Learning Programme, to support university-business dialogue;
12. recognises that university-business collaborations are also affected by specific regional conditions; the capacity for development agencies to support university-business collaboration at a regional level; the role of business clusters in developing university-business networks; the level of business investment in R&D in the region;

General remarks

13. underlines the need to focus on the role of higher education in local and regional development and the promotion of cooperation between higher education institutions and local and regional authorities, with the involvement also of local and regional economic and social players;
14. supports the cooperation between universities and the private sector and the need for universities to be seen as drivers of innovation in their regions;
15. encourages universities to explore new avenues of cooperation between public institutions and the private sector, for example through joint public and private innovation funds measures as are in their power to improve mobility in all areas;

16. supports close pan-European cooperation between businesses, universities and research institutes, involving political actors and administrations at local, regional and national level;

17. considers that the level of cooperation remains unequal across countries, universities and academic disciplines despite EU programmes seeking to build partnerships between the two domains of universities and business, usually focusing on partnerships in specific areas such as research or student mobility;

18. believes that the extent to which such cooperation has influenced governance or organisational cultures in the two sectors concerned is limited as few universities have an institution-wide strategy for cooperation with enterprise, with those that do being concentrated in a small number of Member States;

19. is concerned that in many countries the legal and financial framework still fails to reward or may even inhibit the efforts of universities to cooperate with business;

20. recommends that there should be appropriate performance measurement indicators to assess the current level of university-business dialogue. Any performance measurement needs to include both qualitative and quantitative indicators and due consideration will need to be given to how the selection of these indicators could influence the behaviour of user groups;

21. encourages universities to reward university-business dialogue. A particular challenge within the academic community is recognising this engagement in promotion criteria. Whilst many universities state they recognise the importance of university-business dialogue few have clear and transparent ways of comparing it with research and teaching activities and rewarding it appropriately;

22. acknowledges entrepreneurship and the upgrading of competences through lifelong learning as important tasks of higher education;

23. welcomes that in the funding of research and innovation, efforts are being made in various regions to facilitate more private involvement by giving universities and colleges greater autonomy;

24. suggests that new avenues of cooperation between public institutions and the private sector, for example through joint public and private innovation funds, could be trailblazing examples of sustainable use and safeguarding of public money;

25. agrees that cohesion policy plays a special role in supporting innovation activity in the regions; therefore the European Regional Development Fund (ERDF) can also be used for funding business incubators and science parks (infra-

structure and connections). Clusters are particularly useful for SMEs, as they provide a context which encourages links with universities and large businesses, and enables them to access international trade networks;

26. recognises that SMEs also play a vital role particularly in job creation and innovation and encourages SME participation in university-business dialogue, and the development of innovative and well targeted initiatives to support this;

27. supports the cross-border cooperation of colleges and research institutes with non-university partners in industry and commerce, government, culture and other sections of society;

28. also considers that organisations and other operators that play an intermediary role between universities and businesses can be a vital element in bridge-building between the two and should thus be given greater prominence and more effective support;

Examples of good practice

29. notes and welcomes the many examples of university and business cooperation that exist throughout Europe;

30. is concerned that the availability of examples of good practice from the new Member States is poor;

31. welcomes the intention of the Commission to launch a study to establish an inventory on existing best practices and asks the Commission to take into account the needs of local and regional authorities in this inventory;

Tools at hand for regional and local authorities

32. encourages the establishing of partnership structures of key stakeholders from local and regional authorities, business, the community and higher education to provide a focus for dialogue, e.g. by organising round tables and workshops, establishing science parks for technology transfer, organising science culture events or student fairs;

33. supports mobilising resources of higher education institutions in the preparation and implementation of regional and urban strategies for economic, social, cultural and environmental development;

34. urges higher education institutions to invest jointly in programmes which bring specific benefit to regional businesses and the community while at the same time promoting the funding of foundation professorships by enterprises which encourage networking between different centres of knowledge and R&D and innovation, promote forums for exchanging knowledge, and boost the creation of networks of regions which excel in innovation;

35. recommends that resources for regional engagement are used on a sustainable, multi-annual basis by higher education institutions;

36. expresses its willingness to ensure the coordinated use of FP7, Structural Funds, CIP and EARD, as this is essential for EU competitiveness and synergies between cohesion, research, higher education and innovation policies at national and regional level, as stated in previous CoR opinions;

37. advocates a wide-ranging interpretation of the concept of innovation, covering social and human sciences and their fertile interplay with the urban and regional cultures or their localities;

Conclusion

38. reaffirms that at the current time, when the EU is seeking to minimise the impact of the current economic downturn and set the course for renewed growth, it is important, given the crucial importance of education and training systems to the Lisbon Strategy and the renewed Social Agenda, to provide a platform for dialogue between significant stakeholders in both education and the economy;

39. welcomes the Commission's initiative to explore how Structural Funds could be used to support regional initiatives in this regard;

40. acknowledges the potential of cooperation between business and other fields of education – notably secondary schools and VET institutions – and the opportunities provided by European programmes to foster their cooperation;

41. reiterates the need for stronger involvement of relevant public representatives, including local and regional authorities, in the next phase of the EU Forum for University-Business Dialogue;

42. considers it appropriate to keep the focus of the EU Forum for University-Business Dialogue on the cooperation in the field of higher education;

43. calls on local and regional authorities to support cooperation between business and universities and to see universities as drivers of innovation in the regions;

44. urges a continuance of the EU Forum for University-Business Dialogue with plenary meetings, thematic seminars, a web space, and a stronger involvement of relevant public representatives, including regional authorities, and possibly actors from beyond the EU;

45. recommends that an effective response to the New Skills for New Jobs agenda and the economic downturn is proposed, and that partnerships for regional development, partnerships with SMEs, diversification of approaches to learning, quality assurance and accreditation are discussed;

46. advocates that the Commission will seek to explore ways to support new forms of structured partnership between business and universities via relevant EU programmes.

Brussels, 4 December 2009.

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE

Opinion of the Committee of the Regions on a sustainable future for transport: towards an integrated, technology-led and user friendly system

(2010/C 141/07)

THE COMMITTEE OF THE REGIONS

- underlines that the key to achieving sustainable transport is not to restrict demand for transport services; what matters is not how many passengers or goods are transported, but how they are transported. Unsustainable transport habits can only be broken by means of an appropriate pricing policy in the transport sector, and it is therefore important to find a fair and transparent formula for distributing transport costs between all forms of transport;
- emphasises that, as part of making the transport system more sustainable, the problem of traffic congestion must be dealt with. It is not enough to increase the capacity of the transport networks, as the environmental impact of larger networks can easily reach unacceptable levels; it is vital therefore to make sustainable transport systems more competitive;
- notes that it is clearly in the interests of local and regional authorities to support alternatives to road transport, particularly where there are bottlenecks in the system, and especially in sensitive regions and in areas of harsh natural conditions as this leads to serious problems such as noise pollution, exhaust fumes, congestion, delays and the rapid deterioration of roads, thus burdening the local authority concerned with major expenditure to maintain the road network;
- emphasises that urban, peri-urban and regional transport networks are an important part of the overall transport network and global supply chains, and therefore need to be given a higher priority;
- demands that the Transport White Paper sends a strong political signal towards the forthcoming EU Budget Review whereby the future EU Transport financial allocations correspond with the EU stated ambitions and vice versa.

Rapporteur: Väino Hallikmägi, Member of Pärnu Town Council, Estonia, (EE/ALDE)

Reference document

Commission Communication on a sustainable future for transport: towards an integrated, technology-led and user friendly system

COM(2009) 279 final.

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS:

Introduction

1. welcomes the European Commission's Communication on a sustainable future for transport, which represents a first step towards revising EU transport policy for the coming decades;

2. shares the Commission's view that transport policy must be based on a long-term, sustainable vision for the mobility of people and goods. One of the prerequisites for drawing up a transport policy that fits in with this vision is an accurate assessment of the trends affecting the transport sector;

3. takes the view that future transport networks must provide good accessibility to all European regions, as one of the essential preconditions for ensuring territorial cohesion within the EU. This has a decisive effect in strengthening social and economic integration and in ensuring sustainable development. Implementation of transport policy requires the Member States to show more political will and more support for sustainable and innovative transport strategies;

Policy Recommendations

4. considers it necessary for the revised white paper on transport policy to include a much more systematic and thorough analysis of the external factors, development within the transport sector, and the consequences and synergies thereof. The impact of climate change and of the economic changes on the growth of the transport sector, and the factors influencing this, also need to be discussed;

5. believes that the strategic development document needs to be supplemented by a (comparative) analysis of the socio-economic and environmental impact of the political decisions and proposed measures it contains. Ideally, the results of the investigation will be transposed at the level of the Member States and regions, so that possible differences in the impact

of the common transport policy can be assessed. It is important to consider all the conceptual approaches to transport policy that are of relevance to the future of transport;

6. thinks it is important, when drafting European transport policy, for local and regional authorities in the individual Member States to be given scope to bring their influence to bear in the process of preparing strategic plans and in decision making, in order to provide a regulatory and planning framework enabling initiatives and measures to be implemented in the transport sector; local and regional decision makers can best judge what efforts are needed to resolve transport issues at local and regional level – hence the need for compliance with the subsidiarity principle in any EU or national-level moves to support local and regional authorities;

7. emphasises that priorities need to be set for the development of transport infrastructure, in relation to the networks and projects. In order to ensure that high-priority infrastructure is developed rapidly, the political and financial support of the central EU institutions and national governments must be guaranteed;

8. stresses that, as the trans-European transport network is developed, with the previous project-based approach (30 priority axes) being superseded by an approach differentiating between the overall network and the main TEN-T network, steps must be taken to ensure that sufficient attention and support is still given to the EU's outlying regions, border regions and regions with difficult natural conditions, in order to improve transport connections between the heartland of the EU and neighbouring countries. Therefore, in order to ensure internal and external territorial cohesion in Europe, consideration also needs to be given, for example, to differentiating the priority links and chains in European transport policy, including the relevant funding mechanisms. A system needs to be developed that makes it clearer than before how and according to what principles the TEN-T networks are established and, if necessary, modified and extended; the priority TEN-T projects already underway should in any event be completed. Additions and extensions providing links to the network should also be included in the TEN-T main network. At the same time, better coordination of projects between the Member States should be encouraged in order to avoid unsynchronised planning and implementation and to prioritise cross-border segments;

9. notes that goods transport is of central importance to the functioning of the European economy. At the same time, the European transport system is suffering more and more from traffic congestion, primarily due to an unbalanced mix of transport modes (under current market conditions, road transport has disproportionate competitive advantages), inadequate infrastructure and a lack of interoperability between modes. The Committee of the Regions takes the view that, in order to improve the integration of specific transport infrastructures, a higher priority needs to be placed on coordinating and ensuring consistency of the relevant solutions in the decisions taken in the context of the TEN-T and urban mobility matters and when establishing the priorities for funding from the European Regional Development Fund and the Cohesion Fund;

10. Wishes to draw attention to the fact that cities form an important and integral part of transport networks, as they are nodes where different modes of transport come together, and it is generally in cities that transport starts and ends. Urban transport, therefore, warrants the same attention as is paid to transport networks;

11. requests further simplification of the EU funding procedures and believes consistency between national and EU funding programmes is necessary;

12. demands that the Transport White Paper sends a strong political signal towards the forthcoming EU Budget Review whereby the future EU Transport financial allocations correspond with the EU stated ambitions and vice versa;

Rail, maritime and inland waterway transport

13. takes the view that the fragmentation of the railway market is a major problem; it is equally necessary to eliminate bottlenecks in existing infrastructure, especially those that occur at cross-border segments or due to natural obstacles. In order to create a functional Europe-wide railway network that provides a high-quality service in terms not only of journey time and reliability but also of capacity, it will be necessary to develop a sustainable and efficient approach, which permits increased transfer of goods traffic from road to rail;

14. acknowledges that differences in infrastructure standards between the individual Member States, such as the different track gauges and electrical and safety systems further exacerbate the fragmentation of the transport sector. Harmonisation of technical standards and thus investment in infrastructure is needed in order to harmonise technical requirements and equipment. There is also a need to harmonise different

national train driver training arrangements as well as safety and freight provisions, and, as in the aviation sector, to introduce a common language for transport management for international traffic, particularly traffic from non EU-countries. The aim is to boost competitiveness vis-à-vis road transport. In congested parts of the network, the conditions are to be met to allow passenger and goods traffic to use shared lines without reciprocal interference, or to allow new tracks to be laid and to enable freight and passenger transport to be separated as far as technically feasible and economically viable;

15. believes that additional freight transport infrastructure must connect up urban centres, although this must not give rise to additional traffic volumes in urban centres adding to congestion;

16. believes that, in order to improve the economic links between the outlying regions and the European heartland, it is necessary to develop ports at strategic locations with good multi-modal transport connections. The Committee of the Regions considers it vital to provide multimodal transport connections with the regions where maritime transport plays a key role;

17. stresses that maritime and inland waterway transport must be developed, as they have a key role to play in combating climate change. Furthermore, programmes such as the existing 'Motorways of the Sea' should be substantially increased due to their contribution to both the EU Transport and Territorial Cohesion goals. Similarly, Maritime and inland waterway shipping can help meet the growing demand for passenger and goods transport, but at the same time ongoing efforts are needed to reduce the negative environmental impact of shipping, ports and logistics centres; the CoR therefore regrets that international sea transport is still excluded from the mechanisms of the Kyoto protocol and from the timetable for reducing greenhouse gases. However, in order to avoid, as far as possible, putting the European shipping industry at a competitive disadvantage, the European Union should make it a priority that any binding rules be adopted at international level. In addition, an assessment should be made of the potential effects of introducing differentiated port fees linked to pollution;

18. is convinced that the development of multimodal transport hubs must be one of the priorities of the common transport policy. At the same time, as goods transport is increasingly shifted to rail, steps must be taken to ensure that the environmental and safety requirements continue to be met and that the negative impact on passenger transport is minimised;

Air transport

19. takes the view that developments in air transport must take account of, and plan for, technical and spatial solutions to reduce negative environmental effects such as noise and air pollution. It should, however, be borne in mind when including the environmental costs in the price of the flight that the importance of air transport differs between regions and that it also provides good links with the remotest regions of Europe. With regard to the development of airport infrastructure, medium-sized towns and island regions are particularly dependent on EU support in order to be able to guarantee aviation safety and customer satisfaction;

20. takes the view that fair competition between airports must be secured, by establishing common rules for calculating and determining airport charges;

Transport costs and investments

21. stresses that investment must be better coordinated. For example, TEN-T funding should continue to foster market-based rail projects and regional aid should be better targeted to environmentally friendly transport modes, in order to enhance the EU territorial cohesion;

22. notes the important fact that achieving the balanced, sustainable use of the various modes of transport requires the external costs (pollution, accidents, time) to be factored into the transport costs and the 'user pays' principle to be applied universally. At the same time, the resources thus obtained must be invested in more environmentally friendly means of transport, thus securing the market share of environmentally friendly means of transport and also maintaining the general efficiency of all means of transport and increasing interoperability. Moreover, the rules underlying such calculations must take account of the extent to which they are financially sustainable for the socio-economic sphere affected. Otherwise, sectors of the economy and businesses that are dependent on transport links will become less competitive both nationally and at European level;

23. points out that the important and fundamental goal of true-cost pricing must not be called into question. If the majority of investment in transport infrastructure is to be based on the 'user pays' principle, there might at times be shifts in the economic and social structure in individual regions. Member States considering the introduction or adaptation of traffic-related charges based on modern true-cost pricing approaches are recommended to assess the economic, environmental and social impact of such a measure. In this way

it will be possible, where there is a recognised need, to prepare appropriate medium to long-term flanking measures based on strategic considerations, for example the reorientation of targeted regional economic support;

24. recalls the CoR opinions on the Green Paper (CdR 236/2007) and Action Plan (CdR 417/2008) on Urban Mobility whose publication by the Commission in September 2009 comes in response to a request made by both the Committee of the Regions and the European Parliament;

Urban transport

25. notes how important it is to develop urban transport, given that towns and cities are integral parts of transport networks and hubs for the various modes of transport. The biggest challenge in urban transport will be to give priority to public transport by creating the appropriate conditions, thus improving its position with regard to passenger transport, to alter the conditions for urban transport such that as little traffic as possible gets into city centres, to expand the network for pedestrians and cyclists and to increase the proportion of electric vehicles and the use of environmentally friendly forms of transport;

26. recommends that cities take stronger measures to limit the negative impact of urban transport on the environment and to promote healthy forms of transport; it is important that the EU comply with the subsidiarity principle so that the competent local and regional authorities are duly able to exercise this responsibility;

27. believes that EU transport policy needs to be designed to promote the development of common local transport systems for city centres, suburbs and surrounding rural areas and in particular to link up rail transport systems – railway systems, local trains and tramways – to a new type of regional rail system;

28. considers it important to continually share tried and tested practices for the development and use of urban transport in the following areas: park-and-ride, park-and-walk, developing electric means of transport, expanding the network for light vehicles, providing designated lanes for public transport, multimodal terminals on the approaches to cities, developing car-sharing services, using guidance measures (education, public relations) and restrictions (congestion charges, parking fees) to change transport behaviour. The EU should create and develop support mechanisms for cooperative projects aiming to develop solutions jointly and to transfer existing experience;

Technical Development

29. considers that, when developing multimodal public transport, preference needs to be given to electronic ticketing systems, as they make it possible to accurately calculate the costs of routes and to plan routes according to passenger demand as well as making public transport more convenient for the user. The use of new information technologies must support the development of intermodal intelligent transport systems and the EU should facilitate the expansion of their use;

30. takes the view that what matters, when it comes to technological development, is supporting the transfer of technology between regions and between the various regional levels. Funding for the development of technical solutions should not focus solely on technologies tailored for big cities; instead, development and financing should be set up in such a way that a significant proportion of the resources are used to develop appropriate and sustainable solutions in small and medium-sized towns and in their surrounding areas;

31. stresses that, in order to reduce the transport sector's dependence on oil, ways need to be found of allowing differentiated levels of excise duty to be charged on fuels obtained from other raw materials and, if necessary, of dropping below the lower limit agreed within the EU;

32. points out that harmonising and strengthening monitoring and inspection mechanisms are of central importance in promoting traffic safety. The harmonisation of safety requirements must take account of local natural circumstances, road types, cultural traditions, etc. The integration of traffic accident databases will require at least partial standardisation of the codes used in the national databases;

33. takes the view that, with regard to traffic monitoring, the right conditions need to be created for the development and introduction of general common solutions based on information technology and the Global Positioning System. The EU's primary role, alongside supporting research and development, is to lay down common standards that allow the Member States to monitor cross-border traffic flows seamlessly;

Transport Education

34. stresses that educational establishments have a key role to play in instilling safe, environmentally friendly traffic behaviour. The conditions must be created to allow traffic education to be included in the curricula of educational establishments in all countries. In terms of education, the EU could encourage practical studies that could be used as a basis to draw up common educational recommendations in the form of study materials and modules for nurseries and schools;

Links with neighbouring countries, cross-border activities

35. believes it to be particularly important to improve transport links with neighbouring countries. This will require the EU's central institutions and the governments of Member States and non-EU countries to invest jointly in border facilities (terminals, roads, bridges) in order to make it possible for both goods and passenger transport to cross borders quickly and in an environmentally friendly manner. It is equally important to make progress in standardising border and customs clearance procedures and in strengthening cooperation in this field;

36. considers it important that transport policy should contribute to the integration of the outermost regions in their specific geographical contexts, supporting the launch of environmentally friendly sea and air transport services linking them with the countries in their region while also promoting intermodality;

37. believes that the EU's Member States and institutions should aim, within the international organisations and in negotiations with non-EU countries on transport-related issues, to secure fair competition conditions across all transport modes for businesses in the Member States with regard to fuel taxes, port charges, airport charges, railway charges, various environmental requirements, and so on. These issues are particularly important for the economies of those states on the outer borders of the EU. Differences in competition conditions must also be taken into account when factoring external costs into transport costs;

Conclusions and recommendations

38. underlines that freedom of movement is a fundamental right for EU citizens and a guiding principle of the European Union. Equally, the principle of the free movement of goods is one of the cornerstones of the common market. The key to achieving sustainable transport is not to restrict demand for transport services;

39. stresses that what matters is not how many passengers or goods are transported, but how they are transported. Unsustainable transport habits can only be broken by means of an appropriate pricing policy in the transport sector, and it is therefore important to find a fair and transparent formula for distributing transport costs between all forms of transport;

40. emphasises that, as part of making the transport system more sustainable, the problem of traffic congestion must be dealt with. The Member States should undertake to invest in environmentally-friendly infrastructure to relieve bottlenecks. Equally, it is not enough to increase the capacity of the transport networks, as the environmental impact of larger networks can easily reach unacceptable levels; it is vital therefore to make sustainable transport systems more competitive;

41. notes that it is clearly in the interests of local and regional authorities to support alternatives to road transport, particularly where there are bottlenecks in the system, and especially in sensitive regions and in areas of harsh natural conditions as this leads to serious problems such as noise pollution, exhaust fumes, congestion, delays and the rapid deterioration of roads, thus burdening the local authority concerned with major expenditure to maintain the road network;

42. takes the view that shipping and rail transport must be made more competitive. In order to create a functional railway network that provides a high-quality service in terms not only of journey time and reliability but also of capacity, it will be necessary to reduce the fragmentation of the European railway market. At the same time, a common maritime space must be created and investment in ports and their transport links must be prioritised;

43. emphasises that the transport systems in cities and regions has a decisive influence on regional development. Urban, peri-urban and regional transport networks are an important part of the overall transport network and global supply chains, and therefore need to be given a higher priority;

44. believes that transport networks of the future must provide good access to all regions of Europe. At the same time, local and regional authorities and other interested parties at local and regional level must be consulted on all initiatives that could affect the future of the European transport network, depending on what role the authority or interested party plays in implementing the transport measures in question and in providing the regulatory and planning framework needed to put the initiatives into practice.

Brussels, 4 December 2009.

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE

Opinion of the Committee of the Regions on Green Paper — reform of the common fisheries policy and a sustainable future for aquaculture

(2010/C 141/08)

THE COMMITTEE OF THE REGIONS

- agrees on the need to structure the decision-making process within the CFP, including delegating the regulation and/or management of some activity to the Member States, to the regions, and to the sector itself, within the framework of Community laws;
- recommends closer examination of introducing transferable fishing rights with appropriate safeguards, while taking the view that individual administered quotas may constitute one line of approach, but individual transferable quotas on the other hand would jeopardise the balance in the sector;
- agrees with establishing a differentiated fishing regime for small-scale fishing and shellfishing, maintaining access to public finance for these activities and making it easier for decisions specific to this fleet to be taken at regional level; artisanal or small-scale coastal fisheries should not to be defined by vessel length but rather in line with other additional criteria;
- recommends that for each fishing zone, the fisheries management system that best matches the zone in question, the target species and the type of fleet be evaluated and urges the further examination of catch-based quota management;
- recommends regulation of access to public aid in the same way as under the Common Agricultural Policy, by introducing the concept of conditionality;
- believes that the EU must facilitate the competitive development of the aquaculture sector, including a roadmap for 2010 identifying the limits by region, the promotion of ecological fish farming and support for the European Aquaculture Technology & Innovation Platform (EATIP) and highlights the importance of maritime spatial planning, animal health programmes, labelling standards and administrative simplification procedures for the sector.

Rapporteur: Mr Ramón Luis Valcárcel Siso (ES/EPP), President of the Autonomous Community of Murcia

Reference documents:

Green Paper – Reform of the Common Fisheries Policy

COM(2009) 163 final

Communication from the Commission to the European Parliament and the Council – Building a sustainable future for aquaculture

COM(2009) 162 final

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS,

INTRODUCTION

1. believes the Commission vision for European Fisheries by 2020 is achievable and wishes to contribute fully to the debate on the necessary reforms to realise that vision with least disruption in the workplace and least distortion of the market. Review and reform of the Common Fisheries Policy offers unique opportunities not only to address the shortcomings of the past, but to provide confidence and assurances for the future. Through full engagement with fishing communities, fish stocks will be better managed, fleets will be better aligned to resources, fishing operations will be better regulated and economic returns will provide the safeguards necessary for long-term security;

2. considers that fishing is a means of living in many regions of Europe, as well as a source of supply for a highly dependent processing industry. Although it is long-standing and has been reformed, the Common Fisheries Policy (CFP) has not succeeded in resolving the growing problems of the sector, which must face a range of major challenges: the existence of over-fishing, failure to adapt fishing capacity to available resources and the objective of social, environmental and economic sustainability, the need for energy transition in vessels, the precarious state of many fisheries resources and a high degree of subvention that has led to an extremely fragile economic situation. In addition, the Fisheries Partnership Agreements with developing countries are in many cases threatening the food security of developing countries, contributing to overfishing and preventing the development of local fishing industries;

3. is of the view that the new CFP must lead to a more comprehensive focus, tying in with maritime and environmental policies, equipped with new tools to address the persistent problem of excess fleet capacity, applying low-cost formulas. To achieve this, a political framework must be devised with arrangements for taking medium- and long-term decisions, decentralisation of certain aspects, and with clear objectives. There is also a need to enhance the sector's governance, to

define enforcement mechanisms that provide a surer guarantee of compliance with the rules, and to foster a sector that is more committed to managing and implementing CFP measures and assumes greater responsibility in this respect;

4. believes that aquaculture has the potential to provide healthy, safe, sustainable high-quality products under strict environmental conditions, representing a stabilising factor for employment in many regions of Europe that depend to a greater or lesser extent on fishing. The EU has taken a number of initiatives to promote fisheries, in the form of structural financial tools (FIFG, EFF), as well as with support for and implementation of strategies for their sustainable development. Although much has been achieved, production has risen significantly less than the world average, and we are now faced with the challenges of integrating aquaculture into maritime and environmental policies, gearing it towards the use of environmentally friendly methods within the framework of a sustainable fisheries policy, fostering competitiveness, Integrated Coastal Zone Management, improving governance and consolidating health and animal welfare guarantees, as has been done for other livestock sectors, all under strict consumer protection conditions;

5. is convinced that the growth of the world population, future EU enlargements, the pollution of maritime and inland waters and its impact on coastal ecosystems, and climate change are matters that the CFP must consider from a medium-term point of view, as they will entail change in management trends for fisheries and aquaculture;

GREEN PAPER – REFORM OF THE COMMON FISHERIES POLICY

General comments

6. welcomes the Commission's timely initiative to present the Green Paper on the Reform of the CFP (COM(2009) 163 final), launching the consultation procedure, together with the self-criticism regarding the failure of certain aspects of the CFP, its proposals to improve the existing CFP up to 2012, and its thoughts about the new CFP from 2013 onwards;

7. agrees that there is a failure to adapt fleet capacity, which is most marked in specific segments, and supports the implementation of mechanisms to bring the size of European fisheries fleets into line with exploitable resources and with a more sustainable social and economic approach. These mechanisms must optimise the use of financial public resources, and it views this as a vital factor if other aspects of the CFP are to be fully implemented;

8. stresses the vital role of local and regional authorities as a precondition for a successful CFP. Specifically, suggests reinforcing the role of the Regional Advisory Councils (RACs);

9. points out that if the CFP is to be effectively incorporated into the Integrated Maritime Policy (IMP), regional and local fisheries authorities must be prepared to commit themselves in this area, and make a real contribution;

10. is in favour of promoting closer cooperation between Member State coastguard services, and supports the decision to prepare measures to introduce a more integrated control system;

11. recommends closer examination of the advantages and disadvantages of introducing transferable fishing rights with appropriate safeguards, covering both collective and individual fishing rights;

12. agrees that any future measures taken and commitments made under the CFP in order to avert or cushion against the economic and social effects of reductions in fishing opportunities must always be compatible with long-term ecological sustainability;

13. urges that existing fishing conservation zones be retained and indeed expanded;

14. agrees on the need to structure the decision-making process within the CFP, making use in specific cases of the comitology procedure and delegating the regulation and/or management of some fisheries activity to the Member States, to the regions, and to the sector itself, within the framework of Community laws; therefore calls for a system of management by coastline, by estuary and by fishery (ecosystem-based approach);

15. backs the Commission's proposal for the sector to assume greater responsibility in implementing the CFP. Only fishermen who exercise their responsibilities properly must have access to fish stocks, bearing in mind that these constitute a public domain and that the cost of managing these resources is largely borne by tax-payers;

16. supports the development of a culture of compliance. Member States' access to Community funding should be restricted when they fail to fulfil their control and conservation responsibilities;

17. supports the introduction of real-time data collection systems providing up-to-date technical information on catches;

18. calls on the Commission to ensure that CFP reform takes account of the specific needs of the outermost regions, in the light of their structural and socio-economic conditions, and in keeping with the European strategy for the outermost regions;

19. urges the Commission to assume world leadership in developing systems to adapt fisheries and coastal zone policies to climate change;

Comments on the initiative

A differentiated fishing regime to protect small-scale coastal fleets

20. agrees with the initiative to establish a differentiated fishing regime to manage small-scale fishing and shellfishing, which are closely tied in with the cultural identity of many regions of Europe and employ many workers belonging to micro-businesses. It welcomes the proposal to maintain access to public finance for these activities;

21. fully supports the Commission's intention, as part of an ecosystem approach, to make it easier for decisions specific to this fleet to be taken at regional level, in constant compliance with overall Community rules and principles;

22. believes that community engagement in local partnership structures are key to maximising local input in the definition of the specific potentials and drawbacks in a given area as well as to ensure that delivery fits with local conditions;

23. recommends closer examination of the concept of artisanal or small-scale coastal fisheries, so that this is not defined by vessel length, but rather in line with other, additional criteria such as the activity's economic and social connection with the municipalities, the duration of fishing operations, type of catch, inclusion (or not) in a specific fishing plan, etc.;

24. considers that the maintenance costs generated by blue boxes are too high for small vessels carrying out small-scale fishing in coastal waters; the Commission should therefore allow for the use of alternative, less costly systems;

25. emphasises that this non-industrial fleet is directly affected by distortions caused by the globalised market. In this regard, and bearing in mind the increased effort as a result of technological improvements, the possibility of aid for new building under the adjustment programmes should be re-examined, with a view to creating a competitive fleet that matches the fishing opportunities available to each vessel and ensures fishermen's safety, given the difficulty in access to fishing grounds; moreover, it would be extremely useful to make it mandatory for labelling to distinguish products from this fleet, indicating the product origin in a way that is easy for consumers to understand;

26. urges the Commission to promote proper training for maritime workers, acquiring the business, maritime and environmental skills and good health practices that will enable these human resources to remain in fisheries-dependent areas and to diversify their activity into other areas of interest to civil society such as assisting in countering marine pollution or providing sea rescue services;

27. invites the Commission to promote an integrated initiative to develop and improve infrastructure in island and remote regions that are dependent on small-scale coastal fishing;

Making the most of our fisheries

28. shares the aim of the World Summit on Sustainable Development, at which the Member States accepted the Maximum Sustainable Yield as an objective to be achieved by 2015. This objective must be a fundamental guiding principle of the CFP. It also welcomes the policy to eradicate discards; proposes to evaluate the effects on the ecosystem of industrial fishing used to make meal for farmed fish;

29. suggests to delegate to Member States a better regulation of fleet access to areas of special conservation interest, with a view to recovering and maintaining conservation areas status at a favourable level;

30. urges the further examination of a catch-based quota management system founded on the fishermen's own verifiable documentation;

31. applauds the Commission's initiative in proposing a change in the fisheries management system, based on limiting the days a fishing vessel can go out to fish, or using the current system for single-species fisheries;

32. recommends that, for each fishing zone, the fisheries management system that best matches the zone in question, the target species and the type of fleet should be evaluated. The unit of management must be the fishing area and all the exploited species in the area, except where migrating species are concerned;

33. recalls that the solution to some problems inevitably entails introducing incentives for individual fishermen and associations (co-management) that encourage fishermen to operate responsibly;

34. proposes that a 'certificate of fisheries excellence', verified by an outside company, be introduced: in the same way as under maritime policy, this would provide guarantees that fisheries development is guided in such a way as to comply strictly with legislation;

35. considers that a uniform fisheries compliance and control system needs to be implemented by establishing ISO-standard models, such as ISO 17020;

36. recommends that fishing for sport or leisure be seen as increasingly important aspects to be taken into account in fisheries management. Diversification of fishing activity towards fishing tourism should represent a potential outlet for fishermen who are qualified to captain the relevant type of vessel, and as a means of absorbing employment and reducing the fishing effort;

Relative stability and access to coastal fisheries

37. points out that application of relative stability may often have led to increases in total allowable catches (TACs) exceeding scientific recommendations, boosted the number of discards and diminished the chances of rational use of fisheries resources;

38. agrees with the Commission that the principle of relative stability fails to guarantee that fishing rights are used as effectively and efficiently as possible. There is a discrepancy between the quotas allocated to Member States and the actual needs and uses of the quota by the national fleets. Consequently, it recommends that the principle of relative stability be reviewed, and the adjustments to the quota requirements of national fleets be checked against the availability of fishing rights;

39. takes the view that on the matter of transferable fishing rights, IQs (individual administered quotas) may constitute one line of approach, but ITQs (individual transferable quotas) on the other hand would jeopardise the balance in the sector. Their main effect is to concentrate catch capacity in the hands of big companies and speed up the disappearance of small-scale fishermen. Moreover, it would not make sense to envisage separate arrangements for managing small-scale fishing fleets and at the same time abandon the fate of fishing rights solely to the rules of the market;

40. supports the initiative to retain restrictions of fishing opportunities within the 12 nautical mile limit;

Trade and markets

41. agrees that all fisheries products coming onto the Community market, including imports, must be guaranteed to come from sustainably-managed fisheries, in order to ensure a level playing field on the EU market; suggests that a preliminary assessment of the environmental impact be held before granting a fishing licence;

42. recommends devising initiatives that guarantee the origin of fisheries products, by promoting labelling for fresh produce certifying traceability and origin;

43. considers that certificates of fisheries excellence should be encouraged, regarding both the fisheries and marketing aspects, as a guarantee to consumers of rigorous respect for the resource;

44. agrees that the part producers' organisations play in fisheries management needs to be strengthened;

45. calls for on-going training and the identification of training needs in producers' organisations to be promoted as a key factor in enhancing the quality of the fish markets;

Integrating the CFP in the broader maritime policy context

46. agrees with the Commission's view of the need to implement the Integrated Maritime Policy as a key instrument for making progress in maritime affairs that have a strong impact on other sectoral policies – the CFP in particular – and with a constant view to the sustainable development of coastal regions, special attention being given to sustainable fisheries in the future and adjusting to climate change;

47. believes that, in line with the principle of Territorial Cohesion, the future survival of coastal communities will be dependent on diversification and establishing a sustainable economic base that provides a wide range of opportunities that will anchor the talents of future generations rather than forcing them to migrate to larger towns and cities in search of a better quality of life;

48. recommends that, within the IMP, the fisheries sector be able to take part in devising and carrying out other activities that are compatible with fishing, such as fishing tourism (e.g. recreational fishing and whale watching), combating pollution, rescue services or seabed cleaning;

49. urges the Commission, in cooperation with the Member States and regions, to prepare Geographical Information Systems (GIS) for coastal spatial planning purposes;

50. believes in particular that Local Coastal Partnerships made up by Local Authorities and relevant stakeholders can be crucial to ensure that Integrated Coastal Zone Management is effective and undertaken in a bottom up fashion;

51. calls on the Commission to promote the introduction of multifunctional qualifications for captains of fisheries vessels, that are valid throughout Europe, allow them to diversify fisheries activities, and are compatible with other professional activities;

The knowledge base for the policy

52. hails the initiatives aimed at improving communication between scientists, policy makers and stakeholders, particularly the Advisory Committee for Fisheries and Aquaculture (ACFA) and the Regional Advisory Councils (RACs);

53. stresses that decision-making processes must be based on solid, reliable data and knowledge. It agrees with the initiatives undertaken by the Commission in this regard;

54. recommends setting up a knowledge-based fisheries cluster so that a dynamic, transparent and public structure can be set up, which would at the same time serve as a gateway for disseminating knowledge on EU fisheries;

Structural policy and public financial support

55. agrees that structural policy has generated unwanted side effects in the fisheries sector and has, in some cases, compounded structural problems rather than helping to solve them. It also agrees that reform must address the sector's structural deficiencies, while ensuring safeguards against any unwanted effects that run counter to the CFP;

56. recommends regulation of access to public aid in the same way as under the Common Agricultural Policy, by introducing the concept of conditionality. The objectives set as conditions would have to be met in order to receive financial aid, with penalties and repayments being regulated at the same time;

57. recommends the introduction of more selective and environmentally-friendly fishing practices. Efforts to deal with these problems must however take account of specific regional factors;

The external dimension

58. considers that the main objective under the external dimension of the CFP should be to establish economic and cooperative relations with third countries which are non-discriminatory and mutually beneficial from the point of view of sustainable and responsible fisheries;

59. agrees with the Commission's assessment that maintaining a Community fleet presence internationally has declined in importance;

60. welcomes the Commission's shift away from the 'pay, fish and go' principle to that of Fisheries Partnership Agreements (FPAs), based on a more global approach, which fosters cooperation, governance and the legal certainty of Community investment outside the EU. Fisheries agreements with non-EU countries must be kept as a tool to shape adjustments in the fisheries sector, and should include aquaculture, investment and cooperation as development tools;

61. appreciates the proposal to explore the possibility of bringing in regional forms of cooperation at a time when regional integration is being promoted as a tool for development;

62. emphasises that the Regional Fisheries Management Organisations (RFMOs) are an ideal instrument for governance in the sector, and calls for them to have greater representation and decision-making weight, so as to meet specific criteria such as population or the number of EU countries;

63. views the adoption of international agreements as necessary to manage and control fishing in the Mediterranean, the Baltic Sea and other maritime regions where third countries, in addition to EU Member States, have territorial waters, permitting balanced exploitation of resources in a highly biodiverse ecosystem that is clearly fragile;

64. supports the preparation of measures to introduce a more integrated control system combining existing supervisory and monitoring systems, especially in the Mediterranean. It therefore calls upon the Commission to launch an initial pilot project for the Mediterranean, which could subsequently be extended across Europe;

65. calls for better cooperation between the coastguard services of the Member States and of neighbouring non-EU countries;

COMMUNICATION ON BUILDING A SUSTAINABLE FUTURE FOR AQUACULTURE

General comments

66. welcomes the Communication *Building a sustainable future for aquaculture* (COM(2009) 162 final), giving new impetus to

the *Strategy for the Sustainable Development of European Aquaculture* (COM(2002) 511 final), thanks to which the challenges – especially concerning the environmental sustainability of production and product quality and safety – of channelling the potential major development of this activity can be faced;

67. considers that Community aquaculture is helping to supply the Community market for fish products, which is marked by a growing shortfall on account of the shrinking contribution from fisheries and rising demand;

68. is aware of the socio-economic importance of aquaculture in certain regions, generating some 65 000 jobs and representing a turnover of more than EUR 3 billion;

69. agrees that aquaculture should continue to be promoted, and welcomes the initiatives on the part of the Commission, Council and Parliament to foster the sector's growth under the CFP;

70. agrees with the Commission on the limits to the continued growth of European aquaculture, such as access to the space needed for development, difficulty in obtaining licences, the fragmentation of what is still a relatively unorganised sector, and the numerous restrictions on access to capital, together with stringent Community rules, which constrain competition with Asian and South American producers;

71. welcomes the financial efforts made by the EU, via its structural policy, to encourage the sustainable development of aquaculture and proposes the definition of a 'cross-compliance principle' for the fisheries sector, establishing specific criteria: environmental, food safety, animal welfare, etc. In case of failing to comply these criteria access to public aid will be limited and/or prohibited;

Comments on the initiative

Building the future of the aquaculture sector

72. agrees that the EU must take a series of measures to facilitate the competitive development of the sector so it can meet the growing demand for fish that cannot be met by wild fish stocks;

73. agrees that the EU should take a lead role in the 'blue revolution', concerning both fish production and technology and innovation, while also setting up EU-level certification bodies to guarantee excellence in EU aquaculture production; takes the view that the EU should take the lead role in the development of ecological fish farming methods and only promote aquaculture in localities where it can be carried on in an ecologically sustainable way and where it can be guaranteed that the maritime environment will be preserved for the future;

74. applauds the Commission's initiative to establish an appropriate framework of policies and actions for the development of aquaculture, helping to remove bottlenecks in national legislation, especially as regards its establishment in coastal areas on an equal footing with other activities and the granting of permits, and smoothing the way forward for this strategic sector;

75. urges the Commission, together with the Member States, to prepare a roadmap for 2010 setting out the limits to the growth of aquaculture and identifying them by region, and to promote the introduction of technical reports under the IMP, of aquaculture development areas, and of the necessary port infrastructure;

76. calls for easier access to insurance policies to reassure and not undermine the frequently fragile economies of these producers;

Promoting competitiveness of aquaculture production

77. approves the creation of the European Aquaculture Technology and Innovation Platform (EATIP), which will enable European aquaculture to maintain its world leadership and provide the sector with strategic R&D guidelines, promoting the search for sustainable fishing and aquaculture methods;

78. asks for the EATIP to be promoted as a forum to promote research and development aimed at finding sustainable fishing and aquaculture methods, and for it to form a network of individual national platforms for aquaculture, fisheries and oceanography to channel R&D concerns upwards from the grassroots and to disseminate innovation and emerging technologies back down to them;

79. highlights the importance of maritime spatial planning when providing areas and guidelines on the location of aquaculture. Proper spatial planning means that aquaculture growth can be programmed, its production potential assessed, conflict with other coastal or mainland users avoided, and synergies promoted between activities and environments in the zones that most depend on this type of activity, from an environmental, social, economic and market sustainability perspective;

80. supports the introduction and application of quality and informative labelling standards within the European area, together with international cooperation on labelling and certification;

81. agrees on the need to extend the international dimension of European aquaculture, and to pave the way for disease control plans ensuring safe production from the husbandry point of view;

82. calls for a financial effort commensurate with the challenges facing EU aquaculture and with the expectations it raises;

83. urges an analysis of maritime and fisheries training programmes and an assessment of medium-term needs. In this connection, it calls for a roadmap for the Member States, as part of a European framework of free movement of professionals, so that training in the sector can be stepped up and Europeans be made aware of aquaculture;

Establishing conditions for sustainable growth of aquaculture

84. shares the EU's commitment to ensuring compatibility between aquaculture and the environment, ensuring high-quality, healthy and safe food products, with measures to protect production areas in keeping with the Water Framework Directive 2000/60/EC, which encourages the Member States to improve their aquatic environment by specific deadlines, and the IMP, and to taking action to control escapee developments;

85. considers that if aquaculture production is to grow sustainably, steps must be taken with regard to animal health and welfare, the availability of new veterinary medicines for the sector, and high-quality, environmentally acceptable feedstuffs for fish;

86. calls for a review of the state of implementation in the Member States of Directive 88/2006 on health requirements for aquaculture animals, and for the creation of a GIS on aquaculture production diseases around the world;

87. urges legislation to introduce a register of aquaculture businesses, providing public administrations with an up-to-date picture of aquaculture production, authorised seeding and its origins, density of seeding and health programmes in course;

88. considers it necessary to draw up protocols for applications and authorisations for immersion of juveniles, declarations of disease, notifications of escapes, information on production, evaluation of environmental surveillance programmes, and controls and health documents for movement of fish by road or vessel, as is already the case for other livestock species;

89. urges a greater financial commitment to: environmental controls in fish farms; the implementation of programmes to improve animal health; adjustments to aquaculture methods to enhance animal welfare; and research into veterinary medicines and into the use of alternative raw materials for manufacturing fish feedstuffs;

90. supports the idea of ensuring consumer health and recognising the health benefits of aquatic food;

Improving the sector's image and governance

91. supports the initiative to boost governance in the aquaculture sector as a means of improving its image, and to create a level playing field in the EU, conducive to the sustainable development of aquaculture. To this end, it suggests that the Commission draw up a guide for improving governance in the fisheries and aquaculture sector;

92. endorses the proposal for to implement EU legislation in a balanced way, and to disseminate knowledge of its instruments and facilitate their implementation, carrying forward administrative simplification procedures and those intended to reduce the administrative burden;

93. agrees with the Commission on the need to ensure adequate monitoring of activity in the aquaculture sector with

reliable statistics, global and harmonised indicators and a public market prices network.

94. proposes that the Commission should set up an aquaculture evaluation and control unit within the European Fisheries Control Agency;

95. again emphasises the importance of professionalisation and training if a high level of governance is to be achieved;

96. is willing to serve as a forum and as a guarantor for ensuring public involvement and information on aquaculture issues, so as to contribute, alongside the Commission, to better governance in the aquaculture sector.

Brussels, 4 December 2009.

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE

Own-initiative opinion of the Committee of the Regions on forest policy: the 20/20/20 targets

(2010/C 141/09)

THE COMMITTEE OF THE REGIONS

- welcomes a series of EU activities and political initiatives obliging the Member States to bring their national forestry policies into line with EU objectives;
- highlights that the forestry and timber sector offers significant potential for achieving the EU's 2020 targets and believes that the possible use of ETS-revenues for supporting initiatives in this field should be further explored;
- stresses the importance of promoting multifunctional forestry;
- welcomes the EU initiatives to curb deforestation and forest degradation; draws attention to the fact that brushwood and foliage, which contain almost 90 % of the trace elements taken up by plants during the process of assimilation and building of wood mass, represent a proportion of the biomass harvested in the EU. This could result in soil depletion;
- fully endorses all incentives to use timber and other forestry products derived from sustainably managed forests. This applies particularly to energy and raw materials; urges that consideration be given at the various decision-making levels to setting a date for the introduction of compulsory certification across the EU;
- recommends supporting regions which introduce sustainable forestry policies to mitigate climate change: incentives for businesses in the form of tax breaks, innovation subsidies, preferential contracts for the sale of forestry produce, technical and technological assistance and environmental protection subsidies.

Rapporteur: Mr Adam Banaszak (PL/UEN-EA), Member of the Kujawsko-Pomorskie regional assembly

I. POLITICAL RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

Key recommendations

1. notes that forests – which store over half of the world's carbon in their biomass – can counter climate change, which means that deforestation and forest degradation pose a real danger to the environment and to our climate. It is therefore absolutely vital that we pursue a sustainable forestry policy;

2. believes that natural ecosystems are in delicate balance and the diversity of plant and animal life are crucial to our health and well-being. Native/natural woodlands are important habitats and must be managed in compliance with forest and regional law. Member States and regions should therefore be able to decide not to authorise the planting of genetically modified tree and plant species;

3. welcomes the promotion by the Commission of the use of forest biomass for the production of energy and values the support for such action afforded by the Standing Forestry Committee. This has led to an increase, albeit too modest, in the proportion of renewable energy produced from this source. At the same time, draws attention to the fact that brushwood and foliage, which contain almost 90 % of the trace elements taken up by plants during the process of assimilation and building of wood mass, represent a proportion of the biomass harvested in the EU. An overly large proportion could result in soil depletion. This factor needs to be taken into consideration in the choice of wood harvesting methods. In critical, i.e. depleted forest locations, branches and treetops should remain at the logging site in the forest;

4. highlights that the forestry and timber sector offers significant potential for achieving the EU's 2020 targets. This has yet to be fully exploited, especially the potential for substantially increasing the share of forest biomass used as a raw material and in the production of energy, including plantations of fast growing trees. Notes that the use of wood as a raw material and for energy purposes helps to counteract climate change since it contributes to carbon storage (storage in wood), energy savings – in manufacture, compared with other construction materials, less heating/cooling during the winter/summer (insulation material) - and is a useful substitute for fossil fuels in the generation of heat and electricity (wood fuel, energy recovery from scrap wood). The possible use of ETS-revenues for supporting these and other initiatives should be further explored;

5. considers that the forestry sector needs to be revitalised in a measured manner to boost timber production, which should simultaneously trigger an increase in the amount of energy wood;

6. noting the lack of a common forestry policy, considers that the adoption of the EU Forest Action Plan for 2007-2011 represents a move in the right direction for the European Commission. Recommends, however, that work begin without delay on incorporating the European Commission's cross-sectoral forestry activities into an appropriate legal and structural framework to enable coordinated action in this domain after 2011. In addition to outlining an action plan for subsequent years, an EU coordination body could be established in the field of forestry policy;

7. supports the provision of information and training courses for forest owners on the opportunities offered by forestry which is run in accordance with the principles of sustainable development and thus taking into consideration both biodiversity protection and the production of quality trees and the cultivation of fast-growing species of trees for energy purposes. Recommends that forest owners be given comprehensive support, including advice and financial support to achieve these objectives;

8. supports scientific research and initiatives aimed at developing modern timber harvesting and production technologies which have a smaller environmental impact than traditional methods (including the planting of trees for energy use), as well as those which reduce management costs while promoting sustainable development;

9. welcomes and acknowledges the achievements of existing voluntary certification schemes, and supports their retention, and recommends that this be broadly underpinned by other measures, including financial instruments. Certification could, at a later date, also serve as an instrument to help stem the flow of illegal timber and timber products. Suggests that this should be part of a broader push towards certification on a global scale. Recommends that, in line with such initiatives as FLEGT (Forest Law Enforcement Governance and Trade), it be made illegal to import or possess timber produced illegally in countries outside the EU. Points out, however, that the legal and economic conditions for certification and Natura 2000 status vary significantly across the various Member States and regions; also points out that the certification of wood products does not always provide ideal support to the overarching goals which are being pursued in the management of protected areas. Recommends, therefore, that these differences and requirements be taken into account in line with the subsidiarity and proportionality principles;

10. stresses the importance of promoting multifunctional forestry which, in addition to its core tasks in the field of timber production, encompasses other activities of particular importance for both forestry and the economy, such as: tourism, welfare, conservation and leisure activities, hunting, and harvesting of forest fruits and other forest products (e.g. sap, bark, cork etc). It is possible to boost the economic significance of such non-production activities while at the same time broadening the biodiversity of natural habitats, which enhances the development of rural areas.

11. draws attention to the need for local and regional authorities to participate in decision-making on the EU's forestry policy;

The most effective methods of harnessing biomass for energy purposes

12. recommends significantly stepping up EU-level support for the planting of fast-growing trees cultivated in accordance with environmentally sustainable methods for energy purposes which, by creating an additional labour market, will help revitalise rural areas, and can be a factor in the economic development of micro-regions;

13. in the light of the 20/20/20 target, emphasises that all the Member States should participate on a broad front in harnessing biomass for energy production in order to meet the target set for the share of renewable energy in total energy production; nonetheless stresses that the development of energy wood should also be a concern of the regions from the point of view of both the supply of fuel (specific management of forests on the basis of an area's characteristics) and demand (encouragement of a local market for wood fuel by public and private operators from the area);

14. calls for the further promotion of the use of forest biomass for energy generation and for such action to be supported by the Standing Forestry Committee; recommends, however, that measures be taken to limit the proportion of harvested biomass represented by brushwood and foliage;

15. points out that the level of interest shown in the production and use of wood-derived bioenergy will depend on the economic environment in terms of taxation etc in the Member States as well as the level of subsidies for promoting the use of wood-derived fuel and the focus of such support. This support will help quicken the pace of development in rural areas and lead to the sustainable development of the natural environment in such regions. Requests the Member States to ensure that their tax policy does not treat biofuels unfavourably in relation to fossil fuels;

Recommended areas of action for the 2007-2011 Action Plan

16. welcomes the EU initiatives to curb deforestation and forest degradation, which counter both climate change and the loss of areas available for the fixation of carbon dioxide;

17. notes with satisfaction the effects of the monitoring scheme developed for forest preservation, as the state of such forests and their vitality can help ensure high greenhouse gas absorption rates and climate stability;

18. draws attention to ever improving forestry management methods in a number of Member States, where dead organic matter is cleared away for bio-energy use in a measured manner, in accordance with certification and Nature 2000 rules, thereby helping to prevent forest fires. This is done with due regard for the principles of a sustainable economy and the multifunctional nature of forest areas;

19. welcomes a series of EU activities and political initiatives obliging the Member States to bring their national forestry policies into line with EU objectives.

20. bearing in mind that greater forest cover will increase CO₂ absorption, and therefore have a positive effect on the stability of our climate, the Committee of the Regions recommends that more funds be earmarked for maintaining and improving existing forests and for the reforestation of land and planting and tending processes within the framework of rural development policy; however, insists that such support must be coupled with guarantees that it will not degrade biodiversity;

21. takes into account that in certain countries or regions in the EU, forest fires represent the main threat to the conservation of forest ecosystems comprising wood and scrubland; in addition to unfavourable weather conditions, these fires are the result of an excessive accumulation of inflammable material stemming from the failure to use or the abandonment of forested areas on account of their low profitability; as a result fires burn with greater intensity and ferocity, making the task of extinguishing them extremely difficult. It is essential to promote and provide support for preventive forestry, which would make forested areas more resistant to the spread of fire through measures to reduce and alter inflammable plant material and create and maintain fire-breaks. The residual biomass resulting from these measures should be used to produce renewable energy, thus helping to reduce CO₂ emissions;

22. considers that the Member States must be encouraged to continue to develop the monitoring network, taking account of experience to date regarding the monitoring of damage caused by forest fires, insect and fungus infestation and flooding, all of which are harmful to the health and vitality of forests;

23. recommends supporting Member States and regions which introduce sustainable forestry policies which mitigate climate change. Preference should be given to national, regional and local initiatives focused on introducing incentives for businesses in the form of tax breaks, innovation subsidies, preferential contracts for the sale of forestry produce, technical and technological assistance and environmental protection subsidies;

24. recommends the widespread promotion of wood produce, which ensures long-term storage of carbon absorbed during the process of CO₂ assimilation by forest stands, particularly for use in construction;

25. reiterates the previously articulated need for a well co-ordinated cross-sectoral policy approach at local, regional, national and EU and international level that can take due account of global developments, with a view to ensuring the truly sustainable management of forestry resources, integrating climate change mitigation strategies with appropriate adaptation measures. Therefore, calls for the EU to take a more leading role in the international community and encourages the EU Member States in their efforts to comply with the obligations on climate change mitigation undertaken within the framework of the UNFCCC and the Kyoto Protocol and support for adaptation to the effects of climate change (Key Action 6 of the Action Plan for 2007-2011); welcomes the Commission's proposal to create a Global Forest Carbon Mechanism (GFCM) under the UNFCCC framework, based on a permanent-financing scheme and proposes to earmark a significant part of the auctioning revenues from the EU ETS to reduce deforestation and forest degradation in developing countries;

26. points to the need to support forestry policy further, as it is closely linked to the objectives of increasing energy efficiency by 20 % by 2020 and reducing carbon dioxide emissions; this, in turn, is dependent on the large area taken up by forests, which occupy almost 35 % of Europe's land area with a view to achieving this energy efficiency, the thermal use of biomass should be supported in preference to electricity generation; in order to achieve this it should be taken into account in global energy assessments since this is the most efficient use of biomass;

27. draws attention to the fact that more action is needed to curb the increase in biotic and abiotic agents, including those of anthropogenic origin, as outlined in the Forest Action Plan for 2007-2011;

28. notes the existence of a range of effective solutions introduced by the EU, which should be developed further, by broadening the debate to include and examine the new ideas of experts from a variety of countries, particularly those which lead the way in forestry, along with representatives of local and regional authorities from areas where this sector is particularly important;

29. values the significant role played by the MCPFE – Ministerial Conference on the Protection of Forests in Europe – in identifying and publicising forestry issues across Europe, including the EU, and recommends closer cooperation with this body;

30. recommends that work begin on incorporating the European Commission's cross-sectoral forestry activities into an appropriate legal and structural framework to enable co-ordinated action in the area of European forest policy, which will be of key importance on expiry of the Action Plan for 2007-2011;

31. given the cross-sectoral nature of forest issues, recommends that work begin on setting up a body responsible for the EU's forestry policy, equipped with the necessary financial instruments;

Achieving the objectives set through education

32. is in favour of supporting educational and information campaigns on environmental protection, but notes that not enough has been done to raise public awareness of the advantages of sustainable forestry. This has led to an incomplete understanding within the EU of how it can benefit the development of rural areas;

33. recommends stepping up support for educational and information programmes – particularly those targeting both forest owners and forest managers – on sustainable forestry and the potential contribution which forest biomass can make to achieving the 20/20/20 objectives;

Scientific support as a basic condition for achieving the objectives set

34. science and forestry play a key role in the process of adaptation to climate change by modifying practices directly linked to forest cultivation, through the selection of tree species appropriate for a given locality, and restoring types of forests that provide greater flexibility in the face of climate change. In particular, the protective function of mountain forests, which act as a barrier against natural hazards, can be significantly influenced;

35. supports the scientific research initiatives exploring the energy potential of various tree species and their methods of cultivation, their adaptability to different climatic and geographical conditions and genetic improvement, leading to high levels of forest biomass gain both for timber production and energy purposes, which makes it possible to increase the amount harvested for both purposes; at the same time though, the environmental effects need to be systematically researched and assessed;

Certification as part of sustainable forestry

36. fully endorses all incentives to use timber and other forestry products derived from sustainably managed forests. This applies particularly to energy and raw materials. Also supports certification to ensure the proper management of forest areas and prevent the introduction onto the market of timber of unknown origin, but also stresses the management role that local and regional authorities can play;

37. supports a push for global certification of timber and timber products, such as the FLEGT initiative, to combat illegal logging, provided that it is based on the certification systems currently in place (PEFC or FSC), as well as other initiatives to broker an agreement on combating such activity which, alongside measures that give preference to products from certified companies, could represent an effective means of stemming the flow of illegal timber and timber products;

38. urges that consideration be given at the various decision-making levels to setting a date for the introduction of compulsory certification across the EU;

Economic activity related to forest biodiversity and multifunctionality

39. bearing in mind that greater biodiversity strengthens the resistance of forests, which makes it possible to harness much more of the potential of such habitats, notes the importance of giving priority to such courses of action (broadening biodiversity), taking due account of the multifunctionality of forests and their sustainable development and to this end suggests that new plantations are managed in accordance with environmental sustainability principles to protect soils, plants and animal life;

40. emphasises that forests help counter climate change, inter alia through multifunctional management, as they store 77 % of the world's carbon in their biomass, and play a fundamental role in the global carbon cycle, regulating biological cycles and protecting soil and water; accordingly, it will be impossible to achieve any of the environmental objectives, unless forests are given special attention;

41. calls on the Member States, and the European Union as a whole, to make use of the opportunity which the International Year of Forests in 2011 provides to take a quantum leap forward in the forestry and timber sector.;

Brussels, 4 December 2009.

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE

III

(Preparatory acts)

COMMITTEE OF THE REGIONS

82nd PLENARY SESSION HELD ON 3-4 DECEMBER 2009**Opinion of the Committee of the Regions on Combating the sexual abuse, sexual exploitation of children and child pornography and Combating trafficking in human beings, and protecting victims**

(2010/C 141/10)

THE COMMITTEE OF THE REGIONS

- shares the view that the sexual abuse and sexual exploitation of children, including child pornography, viewed in the context of trafficking in persons with other linked forms of exploitation such as begging, involvement in petty crime networks or removal of organs constitute serious violations of human rights and, in particular, of human dignity and the rights of the child and require an uncompromising joint approach by the EU.
- is aware that pornographic images of child sex abuse, and other forms of child sexual exploitation are increasing and spreading through the use of new technologies and that measures to counter this have not been rapid or effective enough. For this reason an appropriate response must be mounted at all levels, including the education and development of skills for relevant agency staff at local and regional level, to aid in the detection and prevention of these activities.
- agrees that penalties should be effective, dissuasive, and proportionate to the gravity of the crime, also with a view to making investigation and prosecution more effective, and improving international law enforcement and judicial cooperation.
- endorses the view that serious criminal offences such as the sexual exploitation of children and child pornography and other forms of exploitation linked to trafficking require a comprehensive approach covering the prosecution of offenders, the protection of child victims, and prevention and monitoring of the phenomenon including public awareness and educational measures.
- recalls that trafficking in human beings is both a global issue, and a local problem; therefore, it is imperative that local authorities are at the forefront of this fight. Law enforcement and prosecution policies can only be effective if there is an extensive partnership working involving all levels of government, employers' organizations, the private sector, trade unions and NGOs.

Rapporteur: Mr Ján Oravec (SK/EPP), Mayor of Štúrovo

Reference documents

Proposal for a Council Framework Decision on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA

COM(2009) 135 final

Proposal for a Council Framework Decision on preventing and combating trafficking in human beings, and protecting victims, repealing Framework Decision 2002/629/JHA

COM(2009) 136 final

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. shares the view that the sexual abuse and sexual exploitation of children, including child pornography, viewed in the context of trafficking in persons with other linked forms of exploitation such as begging, involvement in petty crime networks or removal of organs constitute serious violations of human rights and, in particular, of human dignity (Article 1 of the Charter of Fundamental Rights) and the rights of the child (Article 24 of the Charter of Fundamental Rights and the 1989 New York Convention on the Rights of the Child) and require an uncompromising joint approach by the EU.

2. reiterates that local and regional levels being closest to citizens may be the first contact point for victims of sexual abuse. Improved allocation of resources will assist a more comprehensive policy involvement, alongside strategies to combat this phenomenon

3. is aware that pornographic images of child sex abuse, and other forms of child sexual exploitation are increasing and spreading through the use of new technologies and that measures to counter this have not been rapid or effective enough. For this reason an appropriate response must be mounted at all levels, including the education and development of skills for relevant agency staff at local and regional level, to aid in the detection and prevention of these activities.

4. Council Framework Decision 2004/68/JHA on combating the sexual exploitation of children and child pornography, which have a large crossborder dimension, approximates Member States' legislation to criminalise the most serious forms of child sexual abuse and sexual exploitation, to extend domestic jurisdiction, and to provide for a minimum level of assistance for victims – after, as well as before, the verdict has been handed down.

5. is of the opinion that the UN Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography and, in particular, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse are crucial steps in

the process of enhancing international cooperation in this field. Therefore urges Member States to take more active measures to ratify the Council of Europe Convention.

6. endorses the view that serious criminal offences such as the sexual exploitation of children and child pornography and other forms of exploitation linked to trafficking require a comprehensive approach covering the prosecution of offenders, the protection of child victims, and prevention and monitoring of the phenomenon including public awareness and educational measures. Any measure to combat these offences should be carried out in the best interests of and respecting the rights of the child. Framework Decision 2004/68/JHA needs to be replaced by a new instrument which provides a comprehensive legal framework to achieve that purpose and protects children in all the Member States from criminals from all the Member States.

7. endorses the view that serious forms of child sexual abuse and sexual exploitation should be subject to effective, proportionate and dissuasive sanctions. This includes, in particular, new forms of sexual abuse and sexual exploitation facilitated by the use of information technologies. The definition of child pornography should also be clarified and brought closer to that contained in international instruments. Rules of procedure must also be harmonised to ensure that criminals are treated in the same way and, above all, to prevent needless delays that may dilute the rehabilitation dimension of punishment.

8. investigating offences and bringing charges in criminal proceedings should be facilitated, to take into account the difficulty for child victims of denouncing abuse and the anonymity of offenders in cyberspace. A clear mandate to investigate, with clearly defined material and territorial jurisdiction, needs to be established.

9. points out that if local police forces, which are the most familiar with their local area and environment and which can play a key role in the detection of such offences, are to become actively involved in combating such abuse, they must be given access to databases, be specially trained in detecting this type of crime and be granted the necessary powers.

10. agrees that rules on jurisdiction should be amended to ensure that child sexual abusers or exploiters from the European Union face prosecution even if they commit their crimes outside the European Union, in particular via so-called sex tourism. However, the EU must also exercise its political and economic influence to bring about a similar legal environment in non-EU countries.

11. agrees that child victims should have easy access to legal remedies and should not suffer for participating in criminal proceedings. The various technologies available for recording the testimony of victims should therefore be used as a matter of course, especially in the case of children. This will lessen the need for repeated questioning or direct contact between victims and perpetrators.

12. recognises that, in order to prevent and minimise recidivism, offenders must always be subject to an assessment of the danger they pose and the possible risks of repetition of sexual offences against children, and should also have access to effective intervention programmes or measures on a voluntary basis, in which local authorities should also be actively involved.

13. proposes that, where the danger posed by the offenders and the possible risks of repetition of the offences make it appropriate, convicted offenders should be temporarily or permanently prevented from exercising activities involving regular contacts with children, where appropriate. Implementation of such prohibitions throughout the EU should be facilitated and local and regional authorities effectively involved in the process.

14. To combat child pornography, especially where the original materials are not located within the EU, mechanisms should be put in place to block access from the Union's territory to internet pages identified as containing or disseminating child pornography.

15. In accordance with the principles of subsidiarity and proportionality, this Framework Decision confines itself to the minimum required in order to achieve those objectives at European level and does not go beyond what is necessary for that purpose.

16. notes that this Framework Decision respects fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the European Union and notably human dignity, the prohibition of torture and inhuman or degrading treatment or punishment, the rights of the child, the right to liberty and security, freedom of expression and information, protection of personal data, the right to an effective remedy and to a fair trial and the principles of legality and proportionality of criminal offences and penalties. In particular, this Framework Decision seeks to ensure full respect for those rights. This Framework Decision does not intend to govern consensual sexual activities between minors.

17. recalls that trafficking in human beings is both a global issue, and a local problem; therefore, it is imperative that local authorities are at the forefront of this fight. Law enforcement and prosecution policies can only be effective if there is an extensive partnership working involving all levels of government, employers' organizations, the private sector, trade unions and NGOs.

18. agrees that trafficking in human beings is a serious crime, often committed in the framework of organised crime, and a gross violation of human rights. It therefore supports a holistic, united and uncompromising approach to this phenomenon by the EU, considering this to be one of its priority tasks.

19. supports the European Union's commitment to the prevention of and fight against trafficking in human beings, and to the protection of the rights of trafficked persons. For this purpose, Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings, and an EU Plan on best practices, standards and procedures for combating and preventing trafficking in human beings (2005/C 311/01) were adopted.

20. welcomes the fact that this Framework Decision adopts an integrated and holistic approach to the fight against trafficking in human beings. More rigorous prevention and prosecution, and protection of victims' rights, are major objectives of this Framework Decision. Children, because of their age can find themselves in precarious situations, are more vulnerable and therefore at greater risk of falling victim to trafficking in human beings. All the provisions of this Framework Decision should be applied in the light of the best interests of the child, in accordance with the 1989 United Nations Convention on the Rights of the Child.

21. is aware that the 2000 United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime and the 2005 Council of Europe Convention on Action against Trafficking in Human Beings are crucial steps in the process of enhancing international cooperation against trafficking in human beings. In order to enhance the process of approximation of legislation, this Framework Decision adopts the broad definition of the crime included in the above mentioned UN and CoE instruments. The definition covers the different types of victim – not only women, but also children and men, together with the various forms of exploitation – not only sexual but also labour-related, begging and involvement in petty juvenile crime networks, as well as trafficking in human beings for the purpose of the removal of organs, which can be linked with organ trafficking and constitute serious violations of human dignity and physical integrity.

22. agrees that penalties should be effective, dissuasive, and proportionate to the gravity of the crime, also with a view to making investigation and prosecution more effective, and improving international law enforcement and judicial co-operation. Aggravating circumstances should take into account the need to protect particularly victims in vulnerable situations including all child victims and adults who are vulnerable because of personal circumstances, or physical or psychological consequences of the crime; in any case, cooperation is as necessary between all bodies working to protect minors and defend human rights as efficient enforcement by prosecution authorities and the effective administration of justice.

23. endorses the view that victims should be protected from prosecution and punishment, following a decision of the competent authority, for unlawful activities they have been involved in as a direct consequence of being subjected to any of the illicit means used by traffickers, such as violations of immigration laws, the use of false documents or offences envisaged by prostitution laws. However, the circumstances should be judged consistently and with sensitivity. An additional aim of such protection is to encourage them to act as witnesses in criminal proceedings.

24. while the Council Framework Decision of 15 March 2001 on the standing of victims in criminal proceedings (2001/220/JHA) establishes a set of victims' rights in criminal proceedings including the right to protection and compensation, victims of trafficking in human beings are equally in a vulnerable situation and therefore specific measures are necessary with regard to them. Such victims, who bear the consequences of the criminal activities related to trafficking in human beings, including the removal of organs, should be protected from intimidation and from secondary victimisation, that is to say further victimisation or trauma deriving from the way the criminal procedure is carried out. Moreover, specific means to ensure effective protection and compensation should be established.

25. believes that victims need to be able to exercise their rights effectively. Therefore appropriate assistance – in some cases, universally mandatory – should be available to victims before, during and after criminal proceedings. This Framework Decision establishes an obligation upon Member States to provide any victim with assistance, which should be sufficient to enable them to recover and for their protection.

26. is convinced that the trafficking in human beings involves huge sums of money and the accumulation of wealth by criminals involved in this illegal activity and encourages member states to use the confiscated assets from criminals, to fund additional therapeutic and integration services for these children.

27. While Directive 2004/81/EC provides for the issue of a resident permit to victims of trafficking in human beings who are third country nationals, and Directive 2004/38/EC regulates the exercise of the right to move and reside freely in the territory of Member States by citizens of the Union and their families, including protection from expulsion, this Framework Decision establishes specific protective measures for any victim of trafficking in human beings and does not deal with the conditions of their residence in the territory of Member States or any other issue falling within the Community competence.

28. takes the view that in addition to measures available to adults, each Member State should ensure that specific protective measures are available to child victims.

29. welcomes the initiative that each Member State should establish and/or strengthen policies to prevent trafficking in human beings, including measures to discourage the demand that fosters all forms of exploitation, by means of research, information, awareness raising education and Europe-wide media campaigns to promote a holistic definition of trafficking and combat 'secondary victimisation'. In such initiatives each Member State should adopt a gender perspective and a child-rights approach.

30. [Directive 2009/.../EC of the European Parliament and of the Council of ... providing for minimum standards on sanctions against employers of illegally staying third-country nationals] provides for penalties for employers of illegally staying third-country nationals who, while not having been charged with or convicted of trafficking in human beings, use work or services exacted from a person with the knowledge that she/he is a victim of such trafficking. In addition to that, Member States should take into consideration the possibility of imposing sanctions on the users of any service exacted from a victim, with the knowledge that she/he has been trafficked.

31. agrees with the proposal under which national monitoring systems such as National Rapporteurs or equivalent mechanisms should be established in order to collect data and carry out assessments on trends in human trafficking, measure the results of anti-trafficking policy, and give advice to governments and parliaments on the development of action against trafficking in human beings.

32. points out the need to also tackle the reasons why organised groups are able to traffic in humans. These reasons are mainly despair and the often unsustainable economic and social situation in the countries of origin. Many victims are literally thrust into the hands of organised groups by the prospect of a chance of improving their situation. The groups then exploit their victims for illegal work, prostitution, begging, organ harvesting or other illegal activity.

33. draws attention to the fact that the detection of this type of criminal activity and its origins, as well as criminal surveillance, can be greatly facilitated by local police forces, which have a detailed knowledge of their local area and environment. They must, however, be given access to databases, be specially trained in detecting this type of crime and be granted the necessary powers.

34. strongly supports the European Union's measures to prevent illegal immigration, since illegal immigrants are in effect potential victims of human trafficking.

35. recognises that since the objective of this Framework Decision, namely to fight against trafficking in human beings, cannot be sufficiently achieved by the Member States alone and can therefore, by reasons of the scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as referred to Article 2 of the Treaty on European Union and as set out in Article 5 of the Treaty establishing the European Community. In

accordance with the principle of proportionality, as set out in the latter Article, this Framework Decision does not go beyond what is necessary to achieve that objective.

36. notes that this Framework Decision respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and notably human dignity, prohibition of slavery, forced labour and trafficking in human beings, prohibition of torture and inhuman or degrading treatment or punishment, the rights of the child, the right to liberty and security, freedom of expression and information, protection of personal data, the right to an effective remedy and to a fair trial and the principles of legality and proportionality of criminal offences and penalties.

37. recognises that trafficked individuals are invariably traumatised and stigmatised by their experiences, and, that local and regional authorities often bear the responsibility for rehabilitation and re-settlement services. This role should be recognised and appropriate resources made available to aid the process.

II. RECOMMENDATION FOR AN AMENDMENT

Proposal for a Council Framework Decision on preventing and combating trafficking in human beings, and protecting victims, Article 10(4)

Text proposed by the Commission	Amendment
Victims shall be granted the necessary assistance and support by Member States in the framework of criminal proceedings, to enable them to recover and escape from the influence of the perpetrators, including by providing them with secure accommodation and material assistance, necessary medical treatment including psychological assistance, counselling and information, assistance to enable their rights and interests to be presented and considered in criminal proceedings, and translation and interpretation services where appropriate. Member States shall attend to the special needs of the most vulnerable.	Victims shall be granted the necessary assistance and support by Member States in the framework of criminal proceedings, to enable <u>their rights and interests to be given due consideration in criminal proceedings. Support shall take a form that enables victims to recover and escape from the influence of the perpetrators, including by providing for different types of protective measures, financial help, necessary healthcare, different treatment strategies, as well as counselling and information. Translation and interpreting services should be provided if necessary.</u> Member States shall attend to the special needs of the most vulnerable.

Brussels, 3 December 2009.

The President
of the Committee of the Regions
Luc VAN DEN BRANDE

**Opinion of the Committee of the Regions — Restriction on the use of hazardous substances in EEE
and the treatment of WEEE**

(2010/C 141/11)

THE COMMITTEE OF THE REGIONS

- requests that the Directive requires the Member States to oblige (and not only encourage) producers to design products which may be easily repaired, dismantled, reused or recovered. The fee charged by compliance schemes should be related to the reusability or recyclability of a specific product;
- calls for the collection rate to be applied to each product category individually and recommends to calculate the collection target against the average life cycle of the EEE; Member States should safeguard against the introduction of small WEEE into the unsorted waste stream;
- calls for a clear and easy to understand obligation for producers to finance the costs of WEEE collection and collection facilities. The extension of producer responsibility to costs of separate collection from households should be mandatory to ensure greater harmonisation of financial responsibility and create a level playing field in the EU;
- requests the introduction of a separate 5 % re-use target, in accordance with the waste hierarchy. This could help remove the current deterrents to reusing recovered products, and ensure the quality reuse of appliances;
- calls for the total cost of disposal in a way which does not cause harm to human health or the environment of WEEE containing hazardous substances to be factored into the price of the product; regrets that no new items have been added to the list of prohibited substances contained in Annex IV of the RoHS Directive;
- asks that more attention be paid to the role of environmental education programmes including awareness-raising campaigns. Local and regional authorities should be supported in the preparation and implementation of such action which can be pivotal in helping to shape consumer behaviour.

Rapporteur: Mr Jerzy Zająkła (PL/UEN-EA), Mayor of Łubianka

Reference documents

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 (RoHS) (recast)

COM(2008) 809 final

Proposal for a Directive of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) (recast)

COM(2008) 810 final

I. POLITICAL RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

A. Taking account of the local and regional dimension

General comments

1. affirms the importance of ensuring appropriate regulation for the management of waste electrical and electronic equipment (WEEE) in the light of its significant impact on health and on the environment.

2. stresses that in most Member States, it is local and regional authorities that are responsible for implementing EU waste management policy. They plan, grant permits for and manage waste treatment and collection systems and should consequently play a key role in the process of developing new approaches and proposals for the waste sector.

3. welcomes the European Commission's initiative to recast the existing directives and to take account of the Committee's previous opinion from the year 2000, which called for a reduction in the unnecessary costs and red tape for both businesses and administrations, and demanded improved effectiveness and, most significantly, action to curb the environmental impact of this fast increasing waste stream.

4. affirms that the Community's environmental policy is based on the principle that the polluter should pay. The producer responsibility, which is a direct consequence of this principle, is a key waste management principle and a cornerstone of the WEEE directive.

5. draws attention to the delays in the transposition of the WEEE Directive, as a result of which local and regional authorities are failing to receive clear and timely guidance on how to implement the regulations correctly.

6. demands that the new WEEE Directive ensures that compliance schemes provide appropriate and continued compensation to the relevant Local or Regional Authorities for any financial or administrative burdens that will be required in order to implement the Directive.

B. Better lawmaking

Joint consideration of the WEEE and RoHS Directives

7. considers that both directives should as far as possible be examined concurrently and with reference to other EU rules on this matter, since only this type of approach will make it possible to resolve the problems appropriately.

Harmonising the law — creation of coherent systems

8. anticipates that all those involved in the waste chain (producers, distributors, local and regional authorities) will be able to reach a common position regarding their responsibility for the collection of household WEEE. The current situation, whereby a number of different approaches exist across the various Member States, leads to an unjustified differentiation in the costs incurred by such participants, which in turn distorts the rules of competition. However, accept that methods of collection can vary from region to region according to local conditions and circumstances.

9. confirms that the recast of the directives complies with the subsidiarity principle. The trans-national nature of the health-related and environmental impact of both the EEE and WEEE and the free movement of products on the market mean that the appropriate regulatory level is EU level. Individual initiatives on the part of the Member States may lead to reduced environmental protection and problems related to the internal market e.g. increased cost of compliance for manufacturers and consumers.

10. confirms that the purpose of the RoHS Directive is to increase coherence and synergies with other relevant Community legislation on the same products, in particular REACH. The clarification of the scope and definitions, the introduction of harmonised enforcement-related clauses and the improvement of the mechanism for granting exemptions to restrictions will help increase legal certainty.

11. welcomes the harmonised scope of the directives and the definitions in Articles 2 and 3 of the WEEE Directive respectively. Clear regulations that are consistent with existing EU legislation in this area will help enhance the clarity of legislation and reduce administrative costs.

12. sees positive elements in the harmonisation of EEE producer registration; however, draws attention to the fact that in a number of Member States the current registration system was only introduced within the last four years, and was a costly exercise. The introduction of a new registration scheme should be preceded by action to verify its effectiveness. It also notes that the reporting requirements of local and regional authorities should continue to be met.

13. welcomes the minimum inspection requirements for Member States and the minimum monitoring requirements proposed for shipments of WEEE, to strengthen the enforcement of the WEEE Directive. At the same time, it urges the Member States to ensure that sufficient resources are allocated to the appropriate authorities to enforce legislation, including support for the training of enforcement staff. In addition, the IMPEL⁽¹⁾ network should be involved in the formulation of minimum inspection requirements.

14. draws attention to the absence of clear provisions on inspecting and monitoring the extent to which collective and individual schemes comply with such requirements or any provisions regarding how individual producers comply with their financing obligations under the Directive.

15. regrets that the recast has not given sufficient consideration to the idea of stimulating a pan-EU outlet market for recycled and recovered products. This could be encouraged by demand-side measures (Green Public Procurement, incentives for the purchase of recycled material, for example through taxation of virgin materials where recycled

alternatives are available). This would undoubtedly be beneficial in terms of reducing the impact of WEEE and helping restore public confidence in the fact that WEEE is being treated appropriately.

C. Action to raise consumer awareness and promote green attitudes

16. asks that more attention be paid to the role of environmental education programmes including awareness-raising campaigns, targeted at all age groups and tailored to local conditions and consumption patterns. Effective action in this field can be pivotal in helping to shape consumer behaviour. Local and regional authorities should be supported in the preparation and implementation of such action.

17. calls on the EU and Member States to initiate and support scientific research on the effective management of recovered products and their components and on the identification of effective methods of raising public awareness of green attitudes.

18. calls on the EU and Member States to support action to raise consumer awareness and the exchange of best practice across Member States and regions.

D. Recast of the WEEE Directive

19. considers it vital that recovery arrangements for WEEE do not vary on the basis of the value of the materials.

20. notes that a clear distinction needs to be made between the re-use of products which cannot yet be categorised as waste (and should not, therefore, count towards targets), and the reuse of products which are considered as waste i.e. items taken from local authority collection facilities. Draws attention to the difficulty of monitoring the condition of WEEE presented at civic amenity sites and notes that in the case of certain old inefficient appliances, recycling rather than re-use may be more appropriate.

21. welcomes the clarification of the Directive's scope of application and the clear specification of the categories and types of EEE in the annexes to the RoHS Directive. Nonetheless draws attention to possible problems relating to the classification of dual use goods. Accordingly, calls for such products to be classified as household WEEE. The failure to introduce this type of classification may in certain cases lead to the unjustified transfer of costs and to a lack of financing for household WEEE. This classification would also provide greater clarity and certainty for producers.

⁽¹⁾ Implementation and Enforcement of Environmental Law Network.

22. requests that the Directive requires the Member States to oblige (and not only encourage) producers to design products which may be easily repaired, dismantled, reused or recovered, thereby leading to a smaller quantity of waste being disposed of at landfill or incineration plants. It is worth considering introducing an incentive-based system which rewards producers for exceeding the specific recovery rate established for their given group of products.

23. would like to point at a problem in the application of the collection rate in collective systems. When the collection rate is applied to a (collective) system as a whole (for all appliances), as is proposed by the European Commission, there might be undesired effects. In this case it is likely that compliance schemes will focus first on heavy equipment (that contributes the most to the weight of the stream), rather than equipment with very little weight. It should be avoided that through this collection rate a mechanism is created that focuses only on heavy equipment rather than equipment with a high environmental impact. To achieve this, as a minimum, the collection rate should be applied to each product category individually.

24. recognises that the change in the method used to calculate the WEEE collection rate – based on a percentage of the average weight of appliances placed on the market instead of on the existing kilogram per capita calculation – represents a step in the right direction. However, the two year period for calculating the average fails to take account of the actual life cycle of certain EEE products, which is often much more than 2 years. Also notes that a longer EEE life cycle will reduce the waste problem, which should lead to consumers making a preference for such appliances.

25. also recommends to calculate the target against the average life cycle of the EEE and not against the sales of new products in the previous two years. The two-year period for calculating the average would appear to be somewhat arbitrary and could have an undesirable impact on the environment, especially given that there is considerable variation between the life cycles of different types of electrical and electronic equipment.

26. is concerned that the target is still based on weight, which does not reflect the environmental impact of the products and highlights the difficulty of encouraging consumers to recycle small appliances. Notes that such appliances are disposed of in municipal waste containers and

consequently find their way onto waste disposal sites via this waste stream. Therefore calls for small appliances to be included in the requirement stipulated in Art. 5(1) of the Directive.

27. emphasises that the polluter pays principle means that the costs of WEEE management should be borne by consumers, through the electric and electronic equipment producers, and not by the tax-payers, mainly through local authorities. It implies therefore that producers of electric and electronic equipment are responsible for the costs of collection, management and treatment of WEEE, as well as for the information costs and an adapted product design. The producer responsibility principle provides the basis for good and clear cooperation between the producers and local and regional authorities to achieve the objectives of the directive.

28. notes the concerns raised by producers⁽¹⁾ who maintain that although they are rightly held responsible for meeting collection targets, their capacity to control this process is limited, especially as regards such issues as the availability of collection points or the volume of waste generated by the end user. Art. 7(1) rightly notes that producers are ultimately responsible for achieving the collection rates. However, draws attention to the need for:

- the better definition of the roles and obligations of all actors in the waste chain (not only producers, but also distributors and local and regional authorities) in order to enshrine the principle of producer responsibility and to ensure that collected WEEE is reported transparently and treated according to the environmental standards of the Directive,
- all WEEE handed to registered organisations other than producer take-back scheme must be recorded in order that producers receive the evidence,
- the creation of mechanisms for producers to question and control abuses of costs and data related to Art. 12 and 13, noting that such a mechanism must not create undue burdens on local authorities.

29. calls for the extension of producer responsibility to costs of separate collection from households not to be optional, but compulsory.

⁽¹⁾ EESC 2008, CECED 2009, DIGITALEUROPE 2009, ORGALIME 2009.

30. welcomes the 5 % increase in the targets stipulated in Art. 11(1) and the fact that these targets now also include medical devices. Calls for the introduction of a separate 5 % re-use target, in accordance with the waste hierarchy. This could help remove the current deterrents to reusing recovered products, and ensure the quality reuse of appliances.

31. points out that producers of B2C goods have little to no interest to encourage the reuse of their equipment. Reuse is therefore not taking place. The incorporation of reuse targets in the recycling target will not change this situation. Producers will try to reach the target only through recycling, and will neglect the possibilities for reuse. The experience of reuse organizations however is that of all discarded EEE, 20 to 30 percent is still fully functional or can be functional after minor repairs. The CoR takes the waste hierarchy very seriously and favours the stimulation of the reuse of whole appliances. We therefore propose a separate target for the reuse of whole appliances.

32. points out that the flexibility offered by some provisions of the current Directive and the unclear definition in national law of the obligations and responsibilities has led on many occasions to a disproportionate administrative and financial burden on local authorities. Costs that, according to the Directive, should be borne by producers end up being borne by local authorities as they usually have the statutory obligation for waste collection and have to intervene when the producer waste takes back systems are not properly working. We consider that local and regional authorities should not bear the financial consequences of the WEEE legislation gaps.

E. Recast of the RoHS Directive

33. voices its concern about the still widespread contamination by hazardous substances and materials used in EEE. Not only are many undesirable substances and materials still used in products but other harmful substances, such as dioxins and furans, are generated through the recycling of these products and their disposal at end of their life cycle.

34. notes that action needs to be taken to break the link between economic growth and increasing volumes of waste, including waste containing hazardous substances. Emphasises

that the public should not have to pay extra taxes for the waste management costs of hazardous materials. Hazardous substances are used in EEE as a result of decisions by producers (and distributors who import products from outside the EU); therefore, the total cost of disposal in a way which does not cause harm to human health or the environment of WEEE containing hazardous substances should be factored into the price of the product.

35. welcomes the decision to move the list of prohibited substances and maximum concentration values to an annex. Nonetheless, regrets that no new items have been added to the list of prohibited substances contained in Annex IV. This concerns in particular HBCDD, DEHP, BBP and DBP for all EEE.

36. calls for an analysis of the arguments which advocate the full implementation of REACH via the RoHS Directive as well as those in favour of maintaining the RoHS Directive as a complement to the REACH process, with the RoHS Directive providing a clearer timeline for signalling when newly identified hazardous chemicals need to be replaced by safer alternatives.

37. welcomes the fact that the four-year review has been replaced with a four-year maximum validity period for exemptions, which may be extended upon request, with a view to encouraging substitution efforts and shifting the burden of proof from the public authorities to the producer or distributor submitting the application.

38. urges the Commission to establish detailed rules for granting exemptions without delay, so as to provide economic operators with legal certainty, and to identify how to apply the new criteria based on socio-economic impacts and benefits, as introduced in 5(1)(b), when granting and reviewing exemptions.

39. confirms the clarity and coherence of the provisions contained in Art. 6-8 and notes that the process of reducing the number of products in breach of these standards through the introduction of stricter and more coordinated market supervision methods represents a cost-effective way of increasing the environmental benefits of the Directive.

II. RECOMMENDED AMENDMENTS

Amendment 1

Proposed amendment to the WEEE Directive (recast) recital 19

Text proposed the European Commission	CoR amendment
(1920) Users of electrical and electronic equipment from private households should have the possibility of returning WEEE at least free of charge. Producers should therefore finance at least the collection from collection facilities, and the treatment, recovery and disposal of WEEE. Member States should encourage producers to take full ownership of the WEEE collection in particular by financing the collection of WEEE throughout the whole waste chain, including from private households, in order to avoid leakage of separately collected WEEE to sub-optimal treatment and illegal exports, to create a level playing field by harmonising producer financing across the EU, to shift payment for the collection of this waste from general tax payers to the consumers of EEEs in line with the polluter pays principle. (...)	(1920) Users of electrical and electronic equipment from private households should have the possibility of returning WEEE at least free of charge. Producers should therefore finance at least the collection from collection facilities , and the treatment, recovery and disposal of WEEE. Member States should encourage <u>ensure that</u> producers to take full ownership of the WEEE collection in particular by financing the collection of WEEE throughout the whole waste chain, including from private households, in order to avoid leakage of separately collected WEEE to sub-optimal treatment and illegal exports, to create a level playing field by harmonising producer financing across the EU, to shift payment for the collection of this waste from general tax payers to the consumers of EEEs in line with the polluter pays principle. (...)

Reason

The producers' financial responsibility should start from the moment the consumer discards the electronic product, which generally happens at the household. The directive should avoid allowing variation in the implementation of the producer responsibility, for the reasons presented in this recital and the optimum management of WEEE.

Amendment 2

Proposed amendment to the WEEE Directive (recast) Article 4

Text proposed the European Commission	CoR amendment
Member States shall, in line with Community product legislation including Directive 2005/32/EC on eco-design, encourage measures to promote the design and production of electrical and electronic equipment notably in view of facilitating which takes into account and facilitates re-use, dismantling and recovery in particular the re-use and recycling of WEEE, its <u>their</u> components and materials. These measures shall respect the proper functioning of the internal market. In this context, Member States shall take appropriate measures so that producers do not prevent, through specific design features or manufacturing processes, WEEE from being re-used, unless such specific design features or manufacturing processes present overriding advantages, for example, with regard to the protection of the environment and/or safety requirements.	Member States shall, in line with Community product legislation including Directive 2005/32/EC on eco-design, encourage <u>oblige (financial)</u> measures to promote the design and production of electrical and electronic equipment notably in view of facilitating which takes into account and facilitates re-use, dismantling and recovery in particular the re-use and recycling of WEEE, its <u>their</u> components and materials. These measures shall respect the proper functioning of the internal market. In this context, Member States shall take appropriate measures so that producers do not prevent, through specific design features or manufacturing processes, WEEE from being re-used, unless such specific design features or manufacturing processes present overriding advantages, for example, with regard to the protection of the environment and/or safety requirements.

Reason

The Directive should require the Member States to oblige (and not only encourage) producers to design 'greener' products. The fee charged by compliance schemes should be related to the reusability or recyclability of a specific product. In order to achieve this there is in the WEEE Directive a need for specification on the calculation of (visible) fees charged by compliance schemes.

Amendment 3

Proposed amendment to the WEEE Directive (recast) Article 5 (1)

Text proposed the European Commission	CoR amendment
1. Member States shall adopt appropriate measures in order to minimise the disposal of WEEE as in the form of unsorted municipal waste and to achieve a high level of separate collection of WEEE, notably, and as a matter of priority, for cooling and freezing equipment containing ozone depleting substances and fluorinated greenhouse gases.	1. Member States shall adopt appropriate measures in order to minimise the disposal of WEEE as in the form of unsorted municipal waste and to achieve a high level of separate collection of WEEE, notably, and as a matter of priority, for cooling and freezing equipment containing ozone depleting substances and fluorinated greenhouse gases. <u>Measures by Member States should also safeguard against the introduction of small WEEE into the unsorted waste stream so as not to generate additional recovery costs.</u>

Reason

A significant amount of small WEEE is thrown away into municipal waste containers and later enters the unsorted waste stream. Its recovery is expensive and puts an unjustified burden on local authorities creating a need for additional settlements with producers. The elimination of this practice will reduce recovery costs.

Amendment 4

Proposed amendment to the WEEE Directive (recast) Article 7(1)

Text proposed by the European Commission	
Article 7	
Collection rate	
1. Without prejudice to Article 5(1), Member States shall ensure that producers or third parties acting on their behalf achieve a minimum collection rate of 65 %. The collection rate is calculated on the basis of the total weight of WEEE collected in accordance with Articles 5 and 6 in a given year in that Member State, expressed as a percentage of the average weight of electrical and electronic equipment placed on the market in the two preceding years in that Member State. This collection rate shall be achieved annually and starting in 2016.	
Draft opinion	Amendment
	Article 7
	Collection rate
	1. Without prejudice to Article 5(1), Member States shall ensure that producers or third parties acting on their behalf achieve a minimum collection rate of 65 % <u>for each EEE category listed separately in Annex I to Directive 20xx/xx/EC (RoHS).</u> The collection rate is calculated on the basis of the total weight of WEEE collected in accordance with Articles 5 and 6 in a given year in that Member State, expressed as a percentage of the average weight of electrical and electronic equipment placed on the market in the two preceding years in that Member State. This collection rate shall be achieved annually and starting in 2016.

Reason

This amendment translates point 23 of the draft opinion into an amendment to the legislative proposal.

Amendment 5

Proposed amendment to the WEEE Directive (recast) Article 11(1) and (2)

Text proposed the European Commission	CoR amendment
<p>1. Member States shall ensure that producers or third parties acting on their behalf set up systems either on an individual or on a collective basis, in accordance with Community legislation, to provide for the recovery of WEEE collected separately in accordance with Article 5. Member States shall give priority to the re-use of whole appliances. Until the date referred to in paragraph 4, such appliances shall not be taken into account for the calculation of the targets set out in paragraph 2.</p> <p>12. Regarding all WEEE separately collected and sent for treatment in accordance with Articles 68, 9 and 10 or for preparation for re-use, Member States shall ensure that, by 31 December 2011 2006, producers meet the following minimum targets:</p> <p>(a) for WEEE falling under categories 1 and 10 of Annex IA Directive 20xx/xx/EC (RoHS)</p> <ul style="list-style-type: none"> — 85 % shall be recovered, the rate of recovery shall be increased to a minimum of 80 % by an average weight per appliance and — 80 % shall be prepared for re-use and recycled; component, material and substance re-use and recycling shall be increased to a minimum of 75 % by an average weight per appliance; <p>(b) for WEEE falling under categories 3 and 4 of Annex IA to Directive 20xx/xx/EC (RoHS),</p> <ul style="list-style-type: none"> — 80 % shall be recovered, the rate of recovery shall be increased to a minimum of 75 % by an average weight per appliance and — 70 % shall be prepared for re-use and recycled; component, material and substance re-use and recycling shall be increased to a minimum of 65 % by an average weight per appliance; <p>(c) for WEEE falling under categories 2, 5, 6, 7, 8 and 9 of Annex IA to Directive 20xx/xx/EC (RoHS),</p> <ul style="list-style-type: none"> — 75 % shall be recovered, the rate of recovery shall be increased to a minimum of 70 % by an average weight per appliance and — 55 % shall be prepared for re-use and recycled; component, material and substance re-use and recycling shall be increased to a minimum of 50 % by an average weight per appliance; <p>(d) for gas discharge lamps, 85 % shall be prepared for re-use and recycled. the rate of component, material and substance re-use and recycling shall reach a minimum of 80 % by weight of the lamps</p>	<p>1. Member States shall ensure that producers or third parties acting on their behalf set up systems either on an individual or on a collective basis, in accordance with Community legislation, to provide for the recovery of WEEE collected separately in accordance with Article 5. Member States shall give priority to the re-use of whole appliances. Until the date referred to in paragraph 4, such appliances shall not be taken into account for the calculation of the targets set out in paragraph 2.</p> <p>12. Regarding all WEEE separately collected and sent for treatment in accordance with Articles 68, 9 and 10 or for preparation for re-use, Member States shall ensure that, by 31 December 2011 2006, producers meet the following minimum targets:</p> <p>(a) for WEEE falling under categories 1 and 10 of Annex IA Directive 20xx/xx/EC (RoHS)</p> <ul style="list-style-type: none"> — 85 % shall be recovered, the rate of recovery shall be increased to a minimum of 80 % by an average weight per appliance and — 80 %—75 % shall be prepared for re-use and recycled; component, material and substance re-use and recycling shall be increased to a minimum of 75 % by an average weight per appliance; and — 5 % shall be prepared for reuse; <p>(b) for WEEE falling under categories 3 and 4 of Annex IA to Directive 20xx/xx/EC (RoHS),</p> <ul style="list-style-type: none"> — 80 % shall be recovered, the rate of recovery shall be increased to a minimum of 75 % by an average weight per appliance and — 70 %—65 % shall be prepared for re-use and recycled; component, material and substance re-use and recycling shall be increased to a minimum of 65 % by an average weight per appliance; and — 5 % shall be prepared for reuse; <p>(c) for WEEE falling under categories 2, 5, 6, 7, 8 and 9 of Annex IA to Directive 20xx/xx/EC (RoHS),</p> <ul style="list-style-type: none"> — 75 % shall be recovered, the rate of recovery shall be increased to a minimum of 70 % by an average weight per appliance and — 55 %—50 % shall be prepared for re-use and recycled; component, material and substance re-use and recycling shall be increased to a minimum of 50 % by an average weight per appliance; and — 5 % shall be prepared for reuse; <p>(d) for gas discharge lamps, 85 % shall be prepared for re-use and recycled. the rate of component, material and substance re-use and recycling shall reach a minimum of 80 % by weight of the lamps</p>

Text proposed the European Commission	CoR amendment
2. These targets are calculated as weight percentage of separately collected WEEE that is sent to recovery facilities.	2. These targets are calculated as weight percentage of separately collected WEEE that is sent to recovery facilities.

Reason

The European Commission's proposals do not set an individual target for the reuse of WEEE. There is therefore no incentive for producers to prepare WEEE for reuse. The inclusion of this target within the WEEE recycling target may discourage producers from preparing WEEE for reuse. It should be borne in mind that a significant proportion of such appliances may be reused immediately or after only minor repairs – hence the proposal to establish a separate target for the reuse of WEEE.

Amendment 6

Proposed amendment to the WEEE Directive (recast) Article 12

Text proposed the European Commission	CoR amendment
<p>1. Member States shall ensure that, by 13 August 2005, producers provide at least for the financing of the collection, treatment, recovery and environmentally sound disposal of WEEE from private households deposited at collection facilities set up under Article 5(2). Member States, where appropriate, shall encourage producers to finance all the cost occurring for collection facilities for WEEE from private households.</p> <p>2. For products placed^{put} on the market later than 13 August 2005, each producer shall be responsible for financing the operations referred to in paragraph 1 relating to the waste from his own products. The producer can choose to fulfil this obligation either individually or by joining a collective scheme.</p> <p>Member States shall ensure that each producer provides a guarantee when placing a product on the market showing that the management of all WEEE will be financed and that producers clearly mark their products in accordance with Article 15^{15a}(2). This guarantee shall ensure that the operations referred to in paragraph 1 relating to this product will be financed. The guarantee may take the form of participation by the producer in appropriate schemes for the financing of the management of WEEE, a recycling insurance or a blocked bank account.</p> <p>The costs of collection, treatment and environmentally sound disposal shall not be shown separately to purchasers at the time of sale of new products.</p> <p>3. The responsibility for the financing of the costs of the management of WEEE from products placed^{put} on the market before 13 August 2005 the date referred to in paragraph 1 ('historical waste') shall be provided by one or more systems to which all producers, existing on the market when the respective costs occur, contribute proportionately, e.g. in proportion to their respective share of the market by type of equipment.</p>	<p>1. Member States shall ensure that, by 13 August 2005, producers provide at least for the financing of the collection, treatment, recovery and environmentally sound disposal of WEEE from private households deposited at collection facilities set up under Article 5(2). Member States, where appropriate, shall encourage^{ensure} that producers to finance^{to finance} all collection costs and^{all collection costs and} all the cost occurring for all collection and^{all collection and} collection facilities for WEEE from private households. <u>Additional rules on the calculation methods regarding the costs of collection and collection facilities may be laid down by Member States.</u></p> <p>2. For products placed^{put} on the market later than 13 August 2005, each producer shall be responsible for financing the operations referred to in paragraph 1 relating to the waste from his own products. The producer can choose to fulfil this obligation either individually or by joining a collective scheme.</p> <p>Member States shall ensure that each producer provides a guarantee when placing a product on the market showing that the management of all WEEE will be financed and that producers clearly mark their products in accordance with Article 15^{15a}(2). This guarantee shall ensure that the operations referred to in paragraph 1 relating to this product will be financed. The guarantee may take the form of participation by the producer in appropriate schemes for the financing of the management of WEEE, a recycling insurance or a blocked bank account.</p> <p>The costs of collection, treatment and environmentally sound disposal shall not be shown separately to purchasers at the time of sale of new products.</p> <p>3. The responsibility for the financing of the costs of the management of WEEE from products placed^{put} on the market before 13 August 2005 the date referred to in paragraph 1 ('historical waste') shall be provided by one or more systems to which all producers, existing on the market when the respective costs occur, contribute proportionately, e.g. in proportion to their respective share of the market by type of equipment.</p>

Text proposed the European Commission	CoR amendment
<p>Member States shall ensure that for a transitional period of eight years (10 years for category 1 of Annex IA) after entry into force of this Directive, producers are allowed to show purchasers, at the time of sale of new products, the costs of collection, treatment and disposal in an environmentally sound way. The costs mentioned shall not exceed the actual costs incurred.</p> <p>4. Member States shall ensure that producers supplying electrical or electronic equipment by means of distance communication also comply with the requirements set out in this Article for the equipment supplied in the Member State where the purchaser of that equipment resides.</p>	<p>Member States shall ensure that for a transitional period of eight years (10 years for category 1 of Annex IA) after entry into force of this Directive, producers are allowed to show purchasers, at the time of sale of new products, the costs of collection, treatment and disposal in an environmentally sound way. The costs mentioned shall not exceed the actual costs incurred.</p> <p><u>4. Member States shall ensure that producers or third parties acting on their behalf report on the financing and costs of the systems for collection, treatment and disposal on an annual basis. Additional rules for the format of the report may be laid down. Those measures designed to amend non-essential elements of this Directive, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(3).</u></p> <p>4. Member States shall ensure that producers supplying electrical or electronic equipment by means of distance communication also comply with the requirements set out in this Article for the equipment supplied in the Member State where the purchaser of that equipment resides.</p>

Reason

The importance of this issue is such that there is a need to introduce a clear and easy to understand obligation for producers to finance the costs of WEEE collection and collection facilities, starting from the collection of the electrical waste generated at the end of the use of the products. The extension of producer responsibility to costs of separate collection from households should be mandatory to ensure greater harmonisation of financial responsibility and create a level playing field in the EU.

Brussels, 4 December 2009.

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE

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