

EUROPEAN COMMUNITIES

BULLETIN

9

ECONOMIC AND
S O C I A L
C O M M I T T E E



CES: 1

EN

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Origins

The Committee was established by the 1957 Rome Treaties in order to involve the various economic and social interest groups in the establishment of the common market and to provide the institutional machinery for briefing the Commission and the Council on all matters relating to the Community.

The Single European Act (1986) and the Maastricht Treaty (1992) reinforced the ESC's role.

Membership

The Committee has 222 members (195 men, 27 women) representing economic and social interest groups in Europe. Members are nominated by national governments and appointed by the Council of the European Union for a renewable 4-year term of office. They belong to one of three Groups: Employers (Group I - President: Manuel Eugénio CAVALEIRO BRANDÃO - Portugal), Workers (Group II - President: Tom JENKINS - United Kingdom), Various Interests (Group III - President: Beatrice RANGONI MACHIAVELLI - Italy). Germany, France, Italy and the United Kingdom have 24 members each, Spain has 21, Belgium, Greece, the Netherlands, Portugal, Austria and Sweden 12, Denmark, Ireland and Finland 9 and Luxembourg 6.

The Members' Mandate

The ESC members' main task is to issue Opinions on matters referred to the Committee by the Commission and the Council.

It should be noted that the ESC is the only body of its type which advises the EU Council of Ministers directly.

Advisory Role

Consultation of the Committee by the Commission or the Council is mandatory in certain cases; in others it is optional. The Committee may, however, also adopt Opinions on its own initiative. Both the Single Act (17.2.86) and the Maastricht Treaty (7.2.92) extended the range of issues which must be referred to the Committee, in particular the new policies (regional and environmental policy). On average the ESC delivers 180 Opinions a year (of which 10% are Own-initiative Opinions). All Opinions are forwarded to the Community's decision-making bodies and then published in the EC's Official Journal.

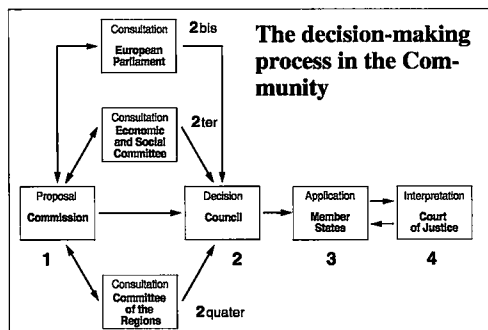
Information and Integration Role

Over the last few years the ESC has stepped up its role in the European Union and has transcended the straight-forward duties flowing from the Treaties. Providing a forum for the Single Market, the ESC has, in conjunction with other Community Institutions, organized a number of events designed to improve links between the general public in Europe and the European Institutions.

Internal organization

1. Presidency and Bureau

Every two years the Committee elects a Bureau made up of 36 members (12 per Group), and a President and two Vice-Presidents chosen from each of the three Groups in rotation.



The President is responsible for the orderly conduct of the Committee's business. He is assisted in the discharge of his duties by the Vice-Presidents who deputize for him in the event of his absence.

The President represents the Committee in relations with outside bodies.

Joint briefs: relations with EFTA, CEEC, AMU, ACP countries, Latin America and other third countries fall within the remit of the Committee Bureau and President.

The Bureau's main task is to organize and coordinate the work of the Committee's various bodies and to lay down the political guidelines for this work.

2. Sections

The Committee has nine Sections:

- Economic, Financial and Monetary Questions - secretariat tel. 546.94.71 (President: Jean Pardon - Group I - Belgium)
- External Relations, Trade and Development Policy - secretariat tel. 546.93.16 (President: Roger Briesch - Group II - France)
- Social, Family, Educational and Cultural Affairs - secretariat tel. 546.93.02 (President: John F. Carroll - Group II - Ireland)
- Protection of the Environment, Public Health and Consumer Affairs - secretariat tel. 546.92.27 (President: Manuel Ataíde Ferreira - Group III - Portugal)
- Agriculture and Fisheries - secretariat tel. 546.93.96 (President: Pere Margalef Masià - Group III - Spain)
- Regional Development and Town and Country Planning - secretariat tel. 546.92.57 (President: Robert Moreland - Group III - United Kingdom)
- Industry, Commerce, Crafts and Services - secretariat tel. 546.93.85 (President: Liam Connellan - Group I - Ireland)
- Transport and Communications - secretariat tel. 546.93.53 (President: René Bleser - Group II - Luxembourg)
- Energy, Nuclear Questions and Research - secretariat tel. 546.97.94 (President: José Ignacio Gafo Fernández - Group I - Spain)

3. Study Groups

Section Opinions are drafted by Study Groups comprising an average of 12 members, including a Rapporteur, who may be assisted by experts (usually four with a maximum of six).

4. Sub-Committees

Where appropriate, the Committee can set up a temporary sub-committee, which operates on the same lines as Sections.

5. Plenary Session

The Committee meets in Plenary Session as a rule ten times a year. At the Plenary Sessions, Opinions are adopted on the basis of Section Opinions by a simple

majority. They are forwarded to the institutions and published in the Official Journal of the European Communities.

6. Relations with economic and social councils

The ESC maintains regular links with regional and national economic and social councils throughout the European Union. These links mainly involve exchanges of information and joint discussions every year on specific issues.

Moreover, the ESC maintains similar contacts worldwide with other economic and social councils in the "International Meetings" held every two years.

7. Relations with economic and social interest groups in third countries

The Committee has links with economic and social interest groups in a number of non-member countries and groups of countries, including Mediterranean countries, the ACP countries, Central and Eastern Europe, Latin America and EFTA. For this purpose the Committee sets up 15-30 man delegations headed by the President. For links with the countries of Central and Eastern Europe, some meetings will be institutionalized under the European Agreements.

Meetings

The average number of meetings held each year is as follows:

Plenary Sessions	10
Sections	70
Study Groups	350
Group meetings	85
Meetings of sub-groups recognized by the three Groups	160
Miscellaneous	370
Visitors' groups (approx. 8,000 visitors)	200
TOTAL	1,245

Publications

The ESC regularly distributes a number of publications free of charge (Order in writing by mail or fax - 546.98.22) inter alia its main Opinions in brochure format and a monthly newsletter.

Secretariat-General

The Committee is serviced by a Secretariat-General, headed by a Secretary-General, reporting to the Chairman representing the Bureau.

The number of officials (including temporary and auxiliary staff) is as follows:

Category A (Administrators)	59 (48 men, 11 women)
Category B (administrative assistants)	65 (25 men, 40 women)
Category C (secretarial and clerical staff)	237 (59 men, 178 women)
Category D (skilled employees)	48 (36 men, 12 women)
Language Service	121 (67 men, 54 women)

Total: 530 (235 men, 295 women), more than a third of whom are involved in language work, given the need to operate in the Community's 11 official languages. However, as of 1 January 1995, the Economic and Social Committee and the Committee of the Regions will share a common core of services, drawing the bulk of their manpower from the ESC's secretariat.

1995 Budget

The 1995 Budget appropriations total ECU 83,900,000, of which ECU 57,800,000 have been earmarked for the joint services which the ESC shares with the Committee of the Regions.

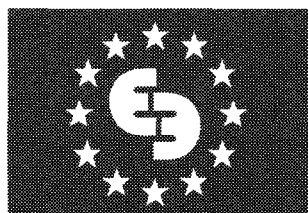
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ECONOMIC AND
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C O M M I T T E E



This Bulletin reports on the activities of the Economic and Social Committee, a consultative body of the European Communities. It is published by the ESC's General Secretariat (2, rue Ravenstein, B-1000 Brussels) in the official Community languages (10 editions per annum)

ECONOMIC AND SOCIAL COMMITTEE

Directorate for Communications
Division for Relations with Economic and Social Councils
and socio-economic groups
2, rue Ravenstein, B-1000 Brussels

Tel.: 546 90 11
Fax: 546 98 22

Telegram: ECOSEUR
Telex: 25 983 CESEUR

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On-line Database of Economic and Social Committee Opinions

The Economic and Social Committee (ESC) has recently launched a database containing the full text of the Committee's opinions and bulletins. The database contains opinions, in all working languages, since January 1995. The ESC bulletin is available in English and French. The database may be searched using the CCL, a menu system and "Watch ECHO". It is planned to diffuse key documents on the World Wide Web :

<http://www.echo.lu/ces/ceshome.html>

The ESC database will be available free of charge.

I. 340th PLENARY SESSION HELD ON 27 AND 28 NOVEMBER 1996

The Economic and Social Committee held its 340th plenary session in Brussels on 27 and 28 November 1996. Mr Tom Jenkins presided.

The session was attended by Mrs Wulf-Mathies, Member of the Commission, who spoke in connection with the adoption of the opinion on economic and social cohesion.

In the course of the session, the Economic and Social Committee adopted the following opinions:

1. PROTECTION OF THE DANUBE

Opinion of the Economic and Social Committee on the Proposal for a Council Decision on the conclusion, on behalf of the Community, of the convention on cooperation for the protection and sustainable use of the Danube
(COM(96) 269 final - 96/0184 CNS)

(CES 1384/96)

Rapporteur working without a study group: Rudolf STRASSER (Austria - Various Interests)

Gist of the Commission proposal

This is a proposal for a Council Decision on the conclusion of the Convention on cooperation for the protection and sustainable use of the Danube (Convention on the protection of the Danube), which was signed in Sofia in 1994 by ten countries, including the Federal Republic of Germany and the Republic of Austria, and by the European Community.

The convention forms part of the Convention on the protection and use of transboundary water courses and international lakes, signed in Helsinki in 1992 and approved by the Council on behalf of the Community in 1995.

The main objective of this convention is to establish a framework for bi- or multilateral cooperation to protect the marine environment, to prevent and control pollution in the Danube and to make for sustainable use of the water resources of countries through which the Danube flows.

The scope of this convention falls, at least in part, within the Community's jurisdiction as regards water legislation. The Commission is, therefore, particularly keen that the Community and its Member States, in their respective areas of competence, should conclude this convention by depositing their instruments of approval and ratification at the same time, in order to speed up its entry into force.

Since the measures set out in the convention are environmental policy instruments, the Council decision must have Article 130s as its legal basis in conjunction with Article 228 of the Treaty.

The annexes to the text of the convention contain a guiding list of both individual and groups of hazardous substances, a definition of "best available techniques" on which to base emission limit values for those substances, a list of both individual industrial sectors and industries for which the limit values are applicable, a definition of "best environmental practice", and general guidance on water quality objectives and criteria developed for the Danube river and its catchment area.

Gist of the opinion

The Committee shares the Commission's view that the rapid entry into force of the convention is highly desirable and it therefore advocates speedy ratification by the EU. This convention is very important for external relations, economic and environmental policy. It is a major contribution to the process of European integration and will help to develop a sustainable economy and to protect natural and ecological resources in the Danube basin.

2. FOODSTUFFS - EXTRACTION SOLVENTS

Opinion of the Economic and Social Committee on the proposal for a European Parliament and Council Directive amending for the third time Directive 88/344/EEC on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients

(COM(96) 375 final - 96/0195 COD)

(CES 1385/96 - 96/0195 COD)

Rapporteur: Kenneth J. GARDNER (United Kingdom - Employers)

Co-rapporteurs: Sergio COLOMBO (Italy - Workers)

Ann DAVISON (United Kingdom - Various Interests)

Gist of the draft directive

As provided for in the directive, the Scientific Committee for Food (SCF) began in 1990 a review of the extraction solvents authorized for use under Directive 88/344/EEC. Acting on the - generally insufficient - information provided by the industry, the SCF confirmed its agreement in respect of a number of solvents already authorized in the past and withdrew its provisional agreement of others.

In December 1995 the SCF gave its agreement in respect of 1,1,1,2- tetrafluoroethane, used as an extraction solvent in the preparation of flavours.

The draft directive takes account of these developments: butyl acetate and methyl-propanol-1 are deleted from the annex; the maximum residue limits in respect of hexane are modified; and 1,1,1,2-tetrafluoroethane is added to the annex.

Gist of the opinion

The Committee approves the proposal directed mainly to enable technical amendments to Directive 88/344/EEC to be made by a Committee procedure, rather than passing through a new Council Directive for each amendment.

A Committee procedure allows for timely application of technical changes following evaluations by the Scientific Committee for Food (SCF). On the other hand, this procedure does not involve the citizens adequately. On balance, the Economic and Social Committee accepts the committee procedure proposed by the Commission, but insists on prior consultation of the various socio-economic partners represented on the Advisory Committee for Food.

The Committee considers that the deletions and additions of solvents proposed are in line with the findings of the SCF and present needs of users.

3. AIRCRAFT OPERATIONAL LIMITATION

Opinion of the Economic and Social Committee on the Proposal for a Council Directive amending Directive 92/14/EEC on the limitation of the operation of aeroplanes covered by Part II, Chapter 2, Volume I of Annex 16 to the Convention on international civil aviation, second edition (1988)
(COM(96) 413 final - 96/0209 SYN)

(CES 1386/96 - 96/0209 SYN)

Rapporteur working without a study group: Klaus BOISSEREE (Germany - Various Interests)

Gist of the Commission proposal

Directive 92/14/EEC, by prohibiting the operation of subsonic civil aircraft which fail to meet the noise standards laid down by the International Civil Aviation Organization, reinforced the legislation adopted since 1980 in the Community to limit the environmental nuisance caused by non-noise certificated aircraft. The time limit specified by which aircraft must meet these standards was 1 April 2002.

However, Article 3 of the Directive provided for possible exemption for certain aircraft, listed in the annex thereto, on the register of developing countries.

The Commission proposal is to update this list and provide for the setting-up of an advisory committee to assist the Commission in regular updating. In addition, it seeks to clarify the way in which the Member States may exercise their right to exempt certain aircraft.

As well as specifying the nature of the penalties to be applied by the Member States for infringements of national implementing legislation and making a special provision in respect of Austria, the proposal seeks to add to the directive in question a number of operational definitions.

Gist of the opinion

The Economic and Social Committee endorses the draft directive formalizing, modifying and expanding the provisions governing exemptions to the ban on the use of aircraft which do not meet certain international noise abatement standards in Community territory. These are practically confined to older aircraft operated by carriers from developing countries, which should be phased out by 2002.

The Committee assumes that the abolition of national authorities' discretion in respect of issuing aircraft licences will not, in practical terms, make it easier to operate aeroplanes which fall under the proposed directive.

The proposal is designed to ensure that future amendments no noise abatement measures are coordinated in a consultative committee. The Committee is confident that this will not undermine its own involvement in the legislative process.

The Committee assumes that the term "penalties" for infringements of national provisions and the concept of enforcement also include other means of combating aircraft noise, such as fines and administrative constraints.

4. SALE OF CONSUMER GOODS, GUARANTEES AND AFTER-SALES SERVICES

Opinion of the Economic and Social Committee on the *Proposal for a European Parliament and Council Directive on the Sale of Consumer Goods, Guarantees and After-Sales Services*
(COM(95) 520 final - 96/0161 COD)

(CES 1387/96 - 96/0161 COD)

Rapporteur: Harald ETTL (Austria - Various Interests)

Co-Rapporteur: Christos FOLIAS (Greece - Employers)

Gist of the Commission proposal

The current proposal is a follow-up to the wide-ranging consultation carried out under the Green Paper on guarantees for consumer goods and after-sales service, published on 15 November 1993. The Green Paper identified a number of disparities between member state's legislation in respect of sales of consumer goods to retail customers and the proposal seeks to remove this obstacle to the smooth operation of the single market.

In order to guarantee consumer protection throughout the Union and to remedy current distortions of competition, the proposal seeks, on the basis of Article 100A, to define a minimum common base of rules, including a two-year legal guarantee from the delivery date of consumer goods.

Commercial guarantees, which are subject to certain rules as regards transparency and minimum content, are required to provide added value in relation to this legal base and cannot derogate from it.

The proposal seeks to harmonize the concept of defectiveness and bases it on failure to conform to the terms of the sales contract (including advertising claims) for the purchased goods. This concept stems from the 1980 Vienna Convention on international sale of goods contracts.

The proposal regulates the vendor's responsibility vis-à-vis consumers and enables the vendor to take action against the manufacturer or an other intermediary. It also defines the traditional means of directly remedying major defects, at the consumers choice, subject to him fulfilling his obligations and observing certain deadlines: consumers have one year after delivery to cancel the contract and to request that the product be replaced. Non-conformity with the contract must be notified within one month of detection.

The proposal contains a safeguard clause permitting the member states to grant consumers a higher level of protection and the member states have two years in which to transpose the Directive into their domestic legislation.

Gist of the opinion

General remarks

For consumers, the single market can only be deemed to be functioning properly if, when buying goods in a Member State other than their own, they can be sure of a comparable degree of protection against faulty goods as they enjoy at home. As the law stands at the moment, many consumers are wary of purchasing items abroad for fear of encountering difficulties when exchanging them or having repairs carried out.

To remedy this deplorable state of affairs, which has come in for particular criticism from consumer groups, legislation has to be harmonized on the basis of a Directive passed under Article 100 a of the EEC Treaty. It must be remembered that, while systems of private law are in many ways similar, they are each built on very differing concepts. Complete harmonization of legal and commercial guarantee systems therefore would not appear advisable, or indeed necessary to provide consumers with a minimum degree of rights.

Legal guarantees

The time limit of two years set for the legal guarantee corresponds to the time limit set under UN law of sale and represents a compromise among the existing, very different time limits set in the Member States. This time limit would appear acceptable from the point of view of consumer protection, given that the objective here is to guarantee a minimum degree of harmonization.

The Committee notes that the time limit pursuant to Article 3(1), within a claim has to be lodged on a defect which was present from the outset, but only became apparent at a later stage, does not prejudice the time limits set for commercial guarantees. Unlike legal guarantees, commercial guarantees usually comprise all defects which arise within a certain period after buying the product, regardless of whether they were present at the time of delivery.

Commercial guarantees

In its opinion on the green paper, the Committee explicitly rejected full-scale harmonization of the commercial guarantee and noted the possibility of a code of conduct in this field.

The Committee backs the Commission approach. The idea of "advantage" propounded in Article 5(1) helps protect consumers from being misled and also enhances honourable trade practices.

5. COMMERCIAL COMMUNICATIONS

Opinion of the Economic and Social Committee on *commercial communications in the internal market - green paper from the Commission*
(COM(96) 192 final)

(CES 1388/96)

Rapporteur: John SIMPSON (United Kingdom - Various Interests)

Gist of the green paper

The term commercial communications covers all forms of advertising, direct marketing, sponsorship, sales promotion and public relations promoting products and services. As the Information Society evolves, new forms of commercial communications will probably acquire greater importance.

In preparation for this green paper, the relevant legislation in the Member States has been reviewed, a market analysis has been carried out and detailed surveys have been undertaken.

The size of the sector is difficult to quantify. According to estimates, advertising expenditure totalled ECU 45,557 million in the EU in 1993 and ECU 26,760 million were spent on direct marketing. The total number of employees directly involved is in the 150,000 to 250,000 range.

The green paper is in four parts. Part I sets out the role of the Community in the field of commercial communications. Part II argues the need for action at Community level. Part III provides a preliminary review of specific areas where Community action could be taken. Part IV draws conclusions on which comment is invited.

On the basis of these results the green paper outlines three basic policy orientations on which comment is invited:

- Existing regulations may have to be reviewed where they are shown to hamper cross-frontier activity.

- The development of new barriers within the Internal Market needs to be tackled.
- Future national and Community measures must be developed in conformity with both Internal Market and other Community objectives.

Finally, the Commission invites comments from all interested parties on the following proposals:

- to improve the proportionality assessment of any future regulatory action in the field of commercial communications, the Commission proposes a methodology;
- better coordination and information is needed at European level. For this purpose the Commission proposes to establish a committee of representatives from the Member States to consider the activities that fall within the scope of commercial communications.

Gist of the opinion

The Committee welcomes the publication of the Green Paper on Commercial Communications. It has drawn attention to a complex and difficult series of questions and it makes constructive proposals to improve the functioning of the Internal Market.

The **first proposal** for a methodology to deliver a procedure for a more uniform assessment of the proportionality of any restrictive national measures affecting Commercial Communications, is intended to combine the existing and developing jurisprudence with the provision of an agreed detailed impact analysis for particular cases. The Committee agrees that the introduction of this type of methodology would offer the prospect of a comprehensible and agreed assessment procedure which would reduce the ambiguity and/or uncertainty which prevails in its absence.

The **second proposal** to create the means to improve the flow of information and better co-ordination of actions and policies at the European level involves establishing a Community-wide consultative committee. The committee will be useful as the forum for an exchange of information on current and new developments affecting commercial communications.

In particular, the Committee:

- welcomes the suggestion that Member States should notify the Commission and other Member States of proposals for new legislation or regulations affecting commercial communications;
- accepts that recent developments in Information Technology and new broadcasting technologies will create pressure for Member States to co-ordinate their regulatory regimes and welcomes the suggestion in the green paper that the impact of these technological developments will be an early consideration by the proposed consultative committee;
- commends the examination of potential chain reactions as an important part of the overview process.

The Committee supports the action of the Commission in bringing together, within a designated DG, responsibility for giving an overall lead for the Commission on Commercial Communications. This change should ensure a common and consistent approach to this complex topic.

The Committee acknowledges that in some Member States there is the potential for unpalatable decisions arising from the procedure on "proportionality". Nevertheless, the merits of the evolving Internal Market make it difficult to argue that the legal provisions embodied in the Treaty are an inadequate defence of domestic "public interest". In the debate about the scope and appropriateness of Community action, the Committee foresees a possible tension between the overall principles of the Internal Market, as determined by the general provisions of the Treaty and the particular impact of Article 129a (3).

6. SUBCONTRACTING IN THE TEXTILE INDUSTRY

Opinion of the Economic and Social Committee on the *Communication from the Commission to the Council, the European Parliament and the Economic and Social Committee and the Committee of the Regions on the competitiveness of subcontracting in the textile and clothing industry in the European Union*

(COM(96) 210 final)

(CES 1389/96)

Rapporteur: Henri MALOSSE (France - Employers)

Gist of the Commission document

Estimates suggest that subcontracting in the textile and clothing industry employs 800,000 people. The subcontractors face crucial challenges and their development will shape the future of the entire industry.

The objective of the Commission's communication is to propose a package of measures and a structure for supporting the efforts made by subcontractors to improve their competitiveness. This means developing ways of offering greater quality, innovation, reliability and flexibility.

Various programmes and multisectoral instruments will be necessary, particularly in order to improve competitiveness associated with intangible investment.

In addition, international cooperation and partnership agreements should be encouraged by improved coordination of action and synergies at regional, national and European level.

The Commission therefore proposes organizing a permanent Group on Subcontracting in the Textile and Clothing Industry, bringing together European and national representatives of the industry and of the trade unions. This Group will examine developments and priorities in the sector, with particular attention to the economic situation and the impact on competitiveness and employment, the impact and effectiveness of individual measures, programmes and multisectoral instruments, means of involving small firms in particular more closely and the need for any supplementary support measures targeted on the specific requirements of subcontractors in the textile and clothing industry.

Gist of the opinion

The Committee acknowledges the justification for a Commission Communication on the competitiveness of subcontracting in the textile and clothing industry.

However, it is concerned about the lack of ambition displayed by the Commission in its Communication, which fails to draw the logical conclusions from its observations, namely the need to:

- have the EU and its Member States carry out an appraisal of the necessity to cease the practice of imposing the lion's share of taxation and social charges on employment;
- revise the goals of external trade policy in order to make the opening-up of the markets of non-EU states the first priority before consideration is given to any further opening-up of EU markets;

The Committee welcomes the proposal to set up a group on subcontracting in the textile and clothing industry, bringing together European and national representatives of the industry and trade unions. It will contribute in its capacity as permanent monitor of the European internal market. Part of the group's remit could be to work

out improved contractual relations within the sector. The Committee is in favour of enlarging this group, in the light of the matter under discussion, to include representatives of the parties concerned, such as distributors or consumer associations.

7. INFORMATION SOCIETY - CORFU/DUBLIN

Opinion of the Economic and Social Committee on the *Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on the information society: from Corfu to Dublin - the new emerging priorities, and on the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on the implications of the information society for European Union policies - preparing the next steps* (COM(96) 395 final)

(CES 1401/96)

Rapporteur: Roger RAMAEKERS (Belgium - Various Interests)

Gist of the Commission document

The Action Plan on the Information Society, adopted on 19 July 1994, has successfully established a first framework for the European Union information society policy. The guidance given by the Council provided in particular an important impulse towards the liberalization of telecommunications.

Valuable experience has gained in the process of the implementation of the Action Plan. The Commission has now a more comprehensive picture of the measures necessary to achieve the objectives of its information society policy. In addition, new questions and issues have emerged. It is therefore time to review the Action Plan in order to give the information society a new political impetus.

Four main policy lines have been identified as priorities of equal importance:

- Improving the business environment
 - Making success of 1998
 - Making the internal market real
 - Facilitating industrial change
- Investing in the future
 - Enhancing our knowledge base
 - Improving education and training
 - addressing sustainable development
- People at the centre
 - Enhancing European integration
 - Protecting consumer interests
 - Improving public sector services
 - Ensuring cultural diversity

- Meeting the global challenge
 - Defining global rules
 - Collaborating with our neighbours
 - Improving global integration.

The Commission hereby submits the following documents to begin responding to some of these new political priorities:

- A communication on "*The implications of the Information Society on European Union policies - preparing the next steps*". This is of particular political importance as it lays the foundation for adapting the Action Plan which the Commission will carry out by the end of this year in order to take into account new strategic priorities.
- A green paper on "*Living and working in the information society: people first*" which is intended to deepen the political, social and civil dialogue on the most important social and societal aspects of the information society.
- A communication on "*Standardization in the information society*" examines how, in the light of the characteristics of the ICT market and the ICT standardization process, the best possible conditions can be created for the drawing-up of the standards needed for the implementation of the information society.
- A draft directive on "*Regulatory transparency in the internal market for information society services*" which sets up an information mechanism on legislative initiatives of the Member States.

The Commission invites the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions to give their opinion on these key policy orientations in order to prepare a revised Action Plan in time for the Dublin European Council.

Gist of the Opinion

The Committee would reiterate its concern over the trend of employment in the information society. It will address this fundamental question in greater detail in its Opinion on the Green Paper on "Living and working in the information society: people first". The Committee feels, however, that the studies carried out to date do not offer reassurance with regard to future employment or the development of industrial relations; at present there is no reason to presume that jobs will be fairly distributed in the future.

If the European Union wishes to achieve an equitable distribution of its assets, of access to information, know-how, services and culture, it will have to respond to the enormous challenges currently identified by the Commission.

The Committee fears that if the Commission introduces a liberalized market at different speeds, this may create numerous disequilibria, particularly at social level.

In the Committee's view, it is essential that the information society be geared to the needs of individuals rather than vice versa. Particular account must be taken of social groups which currently have no opportunity of contact with ICTs and are in danger of finding themselves in future at an even greater remove. Training programmes must likewise be provided for certain groups of workers, such as the self-employed and "teleworkers"; the financing of training programmes for SME employees also needs to be addressed.

The Committee welcomes the Commission's undertaking to update its action plan before the end of 1996, but the question arises as to whether it is wise to seek at all costs a full liberalization of the telecommunications market by 1 January 1998.

The Committee believes that urgent action must be taken to respond to concerns regarding the necessary legislative framework for full telecommunications liberalization; the Committee would emphasize in particular the problems arising from convergence of the telecommunications and audio-visual sectors and the need to ensure information transmission security and the protection of privacy. It would also stress the prime importance of the coverage of the universal service's coverage, its financing and its extension to ensure access to information society networks.

Given the convergence of the information transmission, audiovisual, telecommunications and publishing sectors, provision should be made for regulation of media concentration before further steps are taken towards full liberalization.

The Committee would therefore encourage the Commission to accord priority to social and societal concerns and to assess practical measures to be taken to avoid exacerbating social differences between the citizens of the European Union.

The Committee wishes to see the legislative framework determined before full liberalization of the telecommunications market and applauds the Commission's intention to prepare an appropriate, updated action plan before the end of the year.

8. PROTECTION OF FORESTS

Opinion of the Economic and Social Committee on the Proposal for a Council Regulation (EC) amending Regulation (EEC) No. 3528/86 on the protection of the Community's forests against atmospheric pollution and the Proposal for a Council Regulation (EC) amending Regulation (EEC) No. 2158/92 on protection of the Community's forests against fire
(COM(96) 341 final - 96/0185/0186 CNS)

(CES 1402/96 - 96/0185/0186 CNS)

Rapporteur-General: Seppo Ilmari KALLIO (Finland - Various Interests)

Gist of the Commission proposal

Protection of forests against atmospheric pollution

The aim of the regulation proposed by the Commission is to extend for a further five years (1997-2001) the existing Community scheme for the protection of forests against atmospheric pollution (Regulations (EEC) Nos. 3528/86 and 2157/92) which expires on 31 December 1996.

This extension will make it possible to continue the observations which have started on the Community networks, to allow the completion of the intensive forest ecosystems monitoring network and the full implementation of all agreed common monitoring activities on this network, to evaluate the monitoring results obtained and to derive the necessary conclusions and recommendations for the future protection and management of EU forests.

The Community scheme respects the principles of subsidiarity and proportionality and is consistent with the EU's agricultural policy, because it helps to safeguard the productive potential of agriculture through the protective functions of forests in relation to soil and water resources.

This scheme is also consistent with the 5th environment action programme and the Convention on Long-Range Transboundary Air Pollution (Geneva, 1979).

Protection of forests against fire

The purpose of the Commission proposal is to extend for a further five years (1997-2001) the Community measures to protect forests against fire (Regulation (EEC) No. 2158/92) which expire on 31 December 1996.

The aim of this regulation is to contribute to the Member States' efforts to prevent forest fires, given that at the end of the five years of application, nearly one half of Community forests have been classified as areas at risk from fires.

It ensures that forestry measures financed by the Community in areas at risk from fire are consistent. It also provides for the development of close cooperation between the Member States and the Commission within the Standing Forestry Committee and for the creation of a Community system of information on forest fires.

Extension of the measures complies with the principles of subsidiarity and proportionality and is consistent with the EU's agricultural, structural and environmental policies.

The two proposed regulations on the protection of forests fulfil a number of international commitments made by the EU, in particular at Rio de Janeiro (1992), Strasbourg (1990) and Helsinki (1993).

Gist of the opinion

The Committee endorses the two proposals for Regulations, subject to a number of observations.

The Committee draws attention in particular to the fact that it is essential to prolong the period of application of the two Regulations if the underlying objectives are to be reached. There is a need to take account of the long-term nature of the forest life cycle, particularly as regards the objectives of the Regulation on the protection of forests against atmospheric pollution.

In the Committee's view the EU measures to protect forests against atmospheric pollution accord with the EU's agricultural policy objectives and the objectives of the 1993 Fifth Community Programme of Policy and Action in relation to the Environment and Sustainable Development.

The Committee welcomes the fact that support for the member states in the field of fire-protection measures is concentrated on at-risk areas and the fact that in future EU cooperation with a view to improving fire-protection systems is to be promoted by extending the information system. The information system is also of considerable importance in the fields of monitoring and research.

The Committee is also pleased to note (a) the coordinating role which the Standing Committee on Forestry plays at both EU and world levels and (b) the planned establishment in DG VI of the Advisory Committee on Forestry which will be able to provide vertical channels of information between regions, member states and the Commission.

9. NEW TECHNOLOGIES AND EMPLOYMENT (*Own-initiative Opinion*)

Opinion of the Economic and Social Committee on the impact of the introduction of new technologies on employment

(CES 1403/96)

Rapporteur: Vasco CAL (Portugal - Workers)
Co-rapporteurs: Giannino BERNABEI (Italy - Employers)
Roger RAMAEKERS (Belgium - Various Interests)

Aim of the opinion

The Committee's initiative follows in the wake of both Opinions prepared for the special Plenary Session on employment and work by the Section for Energy, Nuclear Questions and Research.

When dealing with a subject as vast as this one - the impact of new technologies on employment - it is not possible to cover everything; above all it should be remembered that the ESC is already in the process of preparing a series of opinions and reports which relate directly to this subject: an Opinion on the Green Paper on innovation, the ECOFIN Section Own-initiative Opinion on employment, on biotechnology, etc.

However, there are other Community initiatives and papers on these subjects which have not been studied by the ESC, and it would be useful to discuss them: in particular, the Chiampi reports on the competitiveness of the European economy and reports on the information society drafted by the high-level Flynn group and the Bangemann forum.

The OECD has also devoted particular attention to this subject and has issued several publications which examine the relationship between new technologies and employment, systems for financing innovation, organizational changes within firms and links with current economic globalization and deregulation.

In this own-initiative opinion, rather than describing the various theories on the relationship between growth, employment and new technologies, it would be more valuable to identify the structural changes occurring at present and pinpoint the opportunities for and constraints on public authorities, as well as possibilities for taking action - particularly at Community level - to minimize the negative aspects and maximize the positive ones.

The first point to resolve is the scope of the new technologies which the sub-committee will examine in its work.

The introduction of new technologies has picked up speed and has had a greater impact as a result of the present-day economic globalization, and it is difficult to separate out the effects of one from another. Indeed, stiffer international competition makes it difficult or impossible for productivity increases to be reflected automatically in wage rises or in increased profits in the economy concerned. Greater productivity is not therefore reflected in conditions propitious to growth in investment or employment.

Numerous studies have demonstrated that price changes or the introduction of new products on the market as a result of the pressures of international competition have more of an impact on employment levels than technological innovation in hi-tech sectors.

The impact of pressure from international competition on given sectors or products varies. In the case of products for which there is more growth in world demand and which are technology-intensive, firms are under pressure to innovate. However, thanks to vigorous demand, wages and jobs are not jeopardized.

A key factor in analysing the consequences of the introduction of new technologies on employment is the economic structure which is influenced by the combined effects of international competition and technological innovation.

Although international conditions are important in determining the effects of new technologies, even more important are the conditions external to companies involved in the introduction of these new technologies.

Many aspects of conditions within firms should also be considered: new technologies have a profound effect on the nature of work and the way it is organized, on workers' skills and on occupational structures and this frequently leads to a new distribution of jobs between sectors and to an increase in highly-skilled jobs to the detriment of un-skilled ones.

The consequences of technological development are also determined by regional development policy. Regional disparities are not limited to differences in unemployment rates and income. Quality of the environment, infrastructure provision, educational opportunities, capital availability and access to expertise; all these factors affect the context in which firms and local authorities have to operate. It is therefore necessary to reduce these disparities so as to facilitate locally-generated development and boost growth.

Gist of the opinion

This Committee initiative follows in the wake of the opinions prepared for the special plenary session on employment held by the Economic and Social Committee in October 1995 and of the work by the Section for Energy, Nuclear Questions and Research.

In the course of this plenary session a number of opinions were discussed directly relating to debates in Community bodies and which had one aspect in common, namely, their impact on employment.

The present opinion aims to enlarge on, update and study in greater depth the subjects under discussion and look specifically at the impact of the introduction of new technologies on employment.

This subject has been dealt with extensively by various Community and international bodies; some pieces of work stand out, such as the recent OECD study on "technology, productivity and job creation" and the European Commission's Green Paper on the information society.

The Committee does not intend this document to duplicate other work, but rather to issue an opinion on the matters which it considers to be most important and to make appropriate recommendations and proposals to the European Union's decision-making bodies.

The second section of the opinion makes a number of general comments, placing the issues in a broader context. It is pointed out that the technological developments of the last 30 years have not been accompanied by an increase in investment or the resulting economic and social growth. Various explanations are put forward for this "productivity paradox" as are theories on the growth-employment-new technologies dynamic.

Lastly, a series of recommendations and proposals, judged to be essential, is put forward:

- the need to create the right conditions to broaden the democratic debate on what social model will provide the best conditions for making full use of new technologies. The opinion identifies social cohesion, the preservation of cultural and institutional variety and moves to reconcile technological efficiency with quality of life as vital if this society is to secure sustainable, long-term development;
- the recognition that education and training are increasingly the main vectors for identification, integration, social advancement and personal fulfilment, as well as key factors in equal opportunities;
- a reassessment and updating of the role of the public sector to meet the need to create the infrastructures required for developing and applying new technologies, particularly information and communication technologies, and to ensure that they spread rapidly across the whole productive fabric. According to the opinion, implementation of the trans-European networks is vital to the provision of coherent, modern Europe-wide infrastructures. It also recommends that national and Community R&TD policies should be based on forecasting and information instruments, covering technological and employment scenarios. These technological-employment scenarios must enable researchers to define R&TD priorities using a bottom-up approach and to coordinate their work in integrated European projects;
- the observation that the way firms are organized, particularly in the matters of production, R&D and human resource management, has evolved slowly, inhibiting the pace of organizational innovation in both the private and public sectors and explaining why rapid technological progress has not yet significantly improved overall productivity. The Committee therefore believes that the need to boost competitiveness and

the changes in management theories demands radical change in company organization. In order to prevent this process of change being thwarted, the opinion highlights the need for strong leadership and the areas in which it should be brought to bear;

- the creation of new labour relations, required by changes in organization as well as aspects of new technologies and new competition conditions, where workers are no longer limited to carrying out pre-established tasks, but have more scope for initiative and decision-making. The opinion refers to a more forward-looking model, for companies or services, based on the joint use of technological and organizational innovation, where workers can combine technical knowledge with economic appraisal and, as well as widening their skills, can also carry out tasks involving different stages of the work process and possess planning skills, since this model has produced better results. Social dialogue, at different levels, must occupy an essential place in creating this model and organizing work.
- lastly, the opinion focuses on the aggravation of social and regional exclusion, due to the speeding-up of the technology-growth-employment dynamic. It recommends active policies to assist poorly-qualified workers and first-time job-seekers as the categories which are most economically vulnerable and likely to experience long-term unemployment. It is also suggested that the fight against exclusion be further intensified in less-favoured regions whose geographical remoteness is aggravated by the lack of structures and infrastructures linked to the rest of the EU and by inequalities that are far greater in technological than in economic terms. Technological progress should cover several levels, Community, national and regional. In the context of the priority attaching to EU economic and social cohesion, Community R&TD policy should be coordinated with Structural Fund measures so as to maximize their interoperative potential.

10. IDENTIFICATION BOVINE ANIMALS AND BEEF PRODUCTS

Opinion of the Economic and Social Committee on the Proposal for a Council Regulation (EC) establishing a system for the identification and registration of bovine animals and the Proposal for a Council Regulation (EC) regarding the labelling of beef and beef products
(COM(96) 460 final - 96/0228/0229 CNS)

(CES 1404/96 - 96/0228/0229 CNS)

Rapporteur-General: Rudolf STRASSER (Austria - Various Interests)

Gist of the Commission proposal

In order to restore consumer confidence shaken by the BSE crisis, the Commission is proposing to introduce, from 1 January 1997, a system for the identification and registration of bovine animals and a voluntary system for meat labelling.

Identification and registration

So as to be able to trace animals efficiently and rapidly and to improve the control of Community aid schemes, the Commission proposes that all bovine animals be identified by an eartag and passport.

The identity of each animal would be recorded in a data base (identification code, date of birth, all the holdings on which the animal has been kept, dates of movements, date of death or slaughter). By means of these data it will be possible, at any time, to know the number of animals present on a holding and the movements of each animal from its date of birth. All the information will be entered in an individual passport which will always accompany the animal. It will be the responsibility of producers to keep the information on their own animals in an individual detailed register which is regularly updated.

Labelling

This system will be supplemented downstream by the labelling of beef and beef products. The decision whether or not to label these products will be optional, but any information which an organization or operator wishes to include on the label (birth region, fattening method, slaughter, feed, etc.) must first be approved by the national administrative authorities.

Gist of the opinion

Since beef consumption can be brought back to normal only through a package of measures, the Committee backs in principle the Commission's efforts in submitting two draft directives designed to create, within a short space of time, an EU-wide basis for improving cattle identification and the labelling of beef and beef products.

The Committee is in no doubt that a comprehensive identification system must start by securing the adequate identification of livestock. Attention must also be paid however to ease of implementation in the individual Member States and also to existing labelling systems. Moves must be made to avoid overburdening beef farmers and dealers so as to ensure acceptance of the system from the start.

The Committee broadly backs the Commission proposal on the labelling of beef and beef products since it believes that this can meet the information requirements of many consumers and go a long way to helping restore consumer confidence in European beef. The ESC would point out, however, that consumer confidence can only be restored in the long term if labelling of the origin of beef is obligatory.

The Committee feels that the Commission proposal should be geared towards a new objective:

- general obligation to identify carcasses;
- in the case of fresh meat, obligatory identification at every stage, ending with the final consumer.

The Committee feels that the identification arrangements for beef products could be optional.

11. VETERINARY CHECKS

Opinion of the Economic and Social Committee on the Proposal for a Council Directive laying down the principles governing the organization of veterinary checks on products entering the Community from third countries and the Proposal for a Council Directive amending Directives 71/118/EEC, 72/462/EEC, 85/73/EEC, 91/67/EEC, 91/492/EEC, 91/493/EEC, 92/45/EEC and 92/118/EEC as regards the organization of veterinary checks on products entering the Community from the third countries.

(COM(96) 170 final - 96/0109/0110 CNS)

(CES 1395/96 - 96/0109/0110 CNS)

Rapporteur: Cornelius SCULLY (Ireland - Various Interests)

Gist of the Commission document

Experience and developments since the entry into force of Directive 90/675/EEC, alongside the need for transparency, make it necessary to modify the Directive.

The conditions governing the import of all products of animal origin from third countries are on the point of being harmonized. A single checking system should therefore be applied, and the bilateral agreements which are no longer needed should be abolished.

In a system of veterinary checks on products of animal origin, it is not necessary to have a separate identity check as this should be part of the physical check.

For products arriving at the EU border which do not have the EU as final destination, strict rules are laid down to ensure that these products do not leave the EU.

Measures are also established for consignments which have entered the EU without undergoing veterinary checks. Other measures cover the re-entry of EU consignments which have been refused by a third country.

The second proposal is designed to amend the relevant Directives in order to bring their wording into line with the proposed new Directive, following the repeal of Directive 90/675/EEC.

Gist of the proposal

Whilst welcoming the Commission proposal, the Committee feels that, without explicitly referring to customs rules, the directive should clearly state the responsibilities of customs and the relationship between their activities and those of veterinary authorities. The ESC also feels that the directive should expressly require cooperation between the two authorities and that exclusive responsibility for the supervision of free zones, free warehouses and customs warehouses be assigned to the relevant customs authorities rather than to the veterinary authorities, as envisaged in the proposal.

The Committee calls for the rapid consolidation of the existing rules, in the interests of clarity and comprehensibility.

12. EUROPEAN AGENCY FOR VETERINARY AND PHYTOSANITARY INSPECTION

Opinion of the Economic and Social Committee on the *Proposal for a Council Regulation (EC) establishing a European Agency for Veterinary and Phytosanitary Inspection*
(COM(96) 223 final - 96/0143 CNS)

(CES 1396/95 - 96/0143 CNS)

Rapporteur: Staffan Mats Wilhelm NILSSON (Sweden - Various Interests)

Gist of the Commission proposal

The Commission proposes that the Council set up an Agency for Veterinary and Phytosanitary Inspection. The idea to set up such an inspection body dates back to 1993. The agency will ensure compliance with Community legislation and standards, with the overriding aim of protecting human, animal and plant health. As decided at the European Council of October 1993, the agency will be based in Ireland; the Irish authorities have proposed that it be at Grange.

As the guardian of the Treaties, the Commission is responsible for ensuring that Community rules are applied in a uniform manner. Inspections on the spot will be conducted both in the Member States and in third countries which wish to export produce to the Community. In view of the measures already adopted for completion of the single market (extension of the duties of the inspection service set up in 1983, establishment of an office of veterinary and phytosanitary inspection and control in 1991), and future plans, it is clear that present facilities need to be reinforced in order to guarantee the present level of protection of human, animal and plant health.

Gist of the opinion

The Committee feels that a strong and efficient authority for veterinary and phytosanitary inspection and supervision is needed for the efficient operation of the single market and increased consumer protection. It must have full powers to oversee the proper implementation of Community Directives and to check that Community requirements of third countries are fulfilled.

However, the ESC has not been convinced of the need to convert the existing Office into an Agency. The Committee believes that the Office must be reinforced with a larger permanent staff, unless it is proven beyond doubt that the creation of an Agency will have substantially better results for public health, consumer protection and the food industry.

However, the ESC endorses the proposal's rationale on the Agency's competence and main areas of activity, but believes that a prerequisite for establishing the Agency is that it should be funded through budget allocations. The inspection authority must be provided with adequate resources to function properly.

13. PATHOGENS

Opinion of the Economic and Social Committee on the Proposal for a Council Directive amending Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(1) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC
(COM(96) 393 final - 96/0197 CNS)

(CES 1397/96 - 96/0197 CNS)

Rapporteur: Turid STRÖM (Sweden - Various Interests)

Gist of the Commission proposal

The Commission proposal falls within the adjustment of the existing rules and regulations and simplifies certain provisions on imports.

It provides for the abolition of the requirement to draw up lists of third-country establishments which are not warranted for certain products for animal and public health protection.

In the case of certain other products, it is proposed that the requirement to draw up lists of establishments for third countries whose entire production satisfies Community requirements should also be waived.

It is also proposed to delegate to the Commission (after receiving the opinion of the Standing Veterinary Committee) the task of drawing up the health rules applying to meat of species not covered by specific requirements, reptile meat in particular.

Gist of the opinion

The Committee has, in principle, no objections to simplifying this somewhat confused directive.

The ESC feels, however, that the proposed simplification should not cover unprocessed fowl manure. A Community list must be retained for this type of manure, since it carries a considerable risk of spreading disease (salmonella, avian influenza and Newcastle disease).

14. REFERENCE LABORATORIES FOR MARINE BIOTOXINS

Opinion of the Economic and Social Committee on the *Proposal for a Council Decision amending Council Decision 93/383/EEC of 14 June 1993 on reference laboratories for the monitoring of marine biotoxins*
(COM(96) 464 final - 96/0234 CNS)

(CES 1398/96 - 96/0234 CNS)

Rapporteur: Staffan Mats Wilhelm NILSSON (Sweden - Various Interests)

Gist of the Commission proposal

The annex to Council Decision 93/383/EEC of 14 June 1993 on reference laboratories for the monitoring of marine biotoxins establishes the list of national reference laboratories designated by each Member State for this purpose.

As the United Kingdom has been obliged to change its reference laboratory, the annex has to be amended accordingly. Provision also has to be made for a procedure for revision of the annex by the Commission on a request from a Member State.

Gist of the opinion

The Committee endorses the Commission proposal.

15. EU-CANADA RELATIONS (*Own-initiative Opinion*)

Opinion of the Economic and Social Committee on *Relations between the EU and Canada*

(CES 1399/96)

Rapporteur: José Isaías RODRÍGUEZ GARCÍA CARO (Spain - Employers)

Explanatory memorandum

Since the speech made by the Prime Minister of Canada, Mr Jean Chrétien, to the French Senate in December 1994, the proposal that transatlantic trade be liberalized has been raised and commented upon on many occasions. Even though this issue requires further study, the strengthening of transatlantic relations is clearly on the agenda, as demonstrated by the results of the EU-US Summit. The Commission will be putting forward measures in the next few weeks for developing its relations with Canada.

Bilateral relations between the EU and Canada have been particularly fruitful. Since the adoption of the Transatlantic Declaration in 1990, regular contacts at the highest level have been strengthened (vis-à-vis the level of relations prevailing at the time when the only basis for those relations was the 1976 framework agreement on economic and commercial cooperation). EU-Canada relations now take in a very broad agenda, covering issues ranging from environmental protection to measures to combat drug-trafficking and scientific and cultural cooperation. Trade between the two partners has grown to represent an annual value of some ECU 20 billion and reciprocal direct investment has reached very high levels.

Canada and the EU also share many matters of concern and have many common interests. Both are facing problems of structural adjustment, a high level of unemployment and a sizeable government debt. Both underline the importance of science and technology as tools for the achievement of economic development and

the importance of an active environmental policy. There is already bilateral cooperation in these two areas and this cooperation should be expanded, as should cooperation in areas such as vocational training and higher education.

Discussions are underway with a view to reaching agreement in several areas, such as the mutual recognition of standards and competition policy. Finally, the debate on subsidiarity in the EU is mirrored to some extent by the debate in Canada on the renewal of the federal system which has been injected with new life in the light of the outcome of the referendum in Quebec.

This body of shared interests must not, however, hide the fact that there are problems in EU-Canada relations, mainly in the fields of the North Atlantic fisheries, trade in products from animals captured by means of leg-hold traps, trade in wood products and the consequences of the enlargement of the EU.

Drawing on its experience in a large number of areas of bilateral trade, the Committee is in a position to put forward valuable recommendations for expanding trade and cooperation between the EU and Canada. Furthermore, following on from the Committee's work on the EU and Mexico, the drawing-up of an opinion on Canada will complete the Committee's study of relations between the EU and Nafta states.

Gist of the opinion

Relations between the EU and Canada are good but a number of problems remain. The fishery problem is the most well-known: the problem of the fishing of Greenland halibut in international waters came to a head in spring 1995. Following a period of considerable tension, an agreement was reached on 16 April 1995. This agreement, which was accepted by the twelve other members of Nafo in September, regulates the allocation of fishing quotas for 1996 and establishes new conservation and monitoring measures. Even though Canadian ports were re-opened to EU fishing vessels in June 1996, the fishing issue has not been finally settled.

In the wake of the fishing crisis the Commission adopted a communication calling for the establishment of closer ties with Canada. On 25 March 1996 the General Affairs Council asked the Council presidency and the Commission to enter into talks with the Canadian Government with a view to drawing up an EU-Canada political declaration and a joint action plan.

The Committee welcomes the initiative taken by the Commission in respect of Canada. In the Committee's view comprehensive and balanced transatlantic relations are inconceivable without full participation by Canada.

The Committee shares the assessment of both the Commission and the Council that the similar nature of the challenges inherent in EU-US relations and EU-Canada relations call for the same procedural approach to be adopted in respect of both of these links. A new institutional framework is thus not necessary. The Committee also shares the Commission's view that the approach adopted will have to be tailored to the scale and specific nature of EU-Canada relations. The Committee regrets that most of the areas of disagreement were set aside in the formulation of the EU-US action plan; it calls for bilateral differences to be addressed in the EU-Canada action plan.

The Committee regrets that at the Rome Summit it was not possible to conclude the negotiations on the formulation of an EU-Canada action plan. The Committee calls upon the Irish presidency and the Commission to resume as soon as possible the negotiations with Canada on the plan of action so as not to lose the momentum generated at the beginning of the summer. The Committee urges that a firm stand continue to be taken in respect of the interpretation by Canada of the concept of "extra-territoriality". It is unacceptable, for obvious reasons of principle, for Canada to interpret this concept in differing ways, depending on whether the issue involved is the application of the Helms-Burton Act or the boarding of a foreign vessel in international waters.

Whilst maintaining a firm stand as regards ensuring that international principles and regulations are respected, agreement on the plan of action should not, however, be dependent on achieving a definitive settlement of the fishery dispute. The Committee also considers that failure to agree upon a plan of action must not jeopardize the ongoing negotiations on certain issues or the initiation of discussions on other matters.

The communication issued by the Commission indicates that the EU-Canada plan of action is to comprise four main parts: foreign policy and security; international problems; trade, cooperation and investment; and a section dealing with the intensification and broadening of the dialogue between the EU and Canada.

In the field of foreign and security policy, the Committee calls for closer cooperation between the EU and Canada over humanitarian objectives.

In the field of cross-frontier problems, the Committee advocates increased cooperation over environmental policy.

In the chapter on trade, cooperation and investment, the Committee reiterates its commitment to a multilateral approach and to the consolidation of the World Trade Organization. In the Committee's view, however, talks on an EU-Canada free trade agreement would be premature, inasmuch as they could jeopardize consolidation of the achievements of the Uruguay Round agreements and there could also be considerable difficulties standing in the way of the realization of such free trade.

The Committee welcomes the Commission's intention to seek ways of avoiding a repetition of bilateral trade problems by making more effective use of the mechanisms to provide early warning of impending disputes. It does however regret that this proposal seeks only to strengthen the existing mechanisms which have by no means demonstrated their effectiveness in the past. The establishment of a "conflict prevention" system is something which the Committee has called for on several occasions in the past. Recognizing that most of the bilateral disputes can be traced back to action taken by interest groups in the EU or Canada, the Committee suggests that the transatlantic dialogue be extended to embrace these groups in order to involve them in a dispute prevention mechanism.

The Committee supports the Commission's approach of giving priority to achieving cooperation in the field of regulations as a means of promoting trade. In this context the Committee supports the conclusion, as soon as possible, of an agreement on the mutual recognition of standards and conformity assessments

The promotion of areas of joint interest relating to employment policy and social policy are two of the aims of the process of giving a new impetus to relations with Canada. The exchange of experience and ideas could be highly beneficial. At the present time Canada and the EU both have to face very similar problems.

The final part of the Commission's strategy involves the broadening of the transatlantic dialogue to take in representatives of business, civil society and new areas, such as education, culture and science. The Committee naturally fully supports this goal.

The Committee urges that the scope of the dialogue between the EU and Canada be extended to include the interest groups operating on both sides of the Atlantic. If there is to be full participation in the bilateral dialogue, there is a need to include in the dialogue groups representing workers, farmers, consumers and environmental organizations. A constructive dialogue could be held on a large number of issues, such as: the promotion of sustainable development; public development aid; the situation in Africa; comparison of experiences and policies with regard to job-creation, vocational training, health and social services; environmental protection policy and the links between trade and environmental issues; and the comparison of experiences in the field of regional policy.

Bearing in mind the dynamism of civil society in Canada and the very enthusiastic welcome given to the idea of a broader dialogue in Canada, the Committee calls for the holding of an annual meeting to debate a number of the abovementioned issues. The aim of these meetings would be to improve mutual understanding, to provide a means of preventing disputes and, finally, to involve civil society - and consequently the population

at large - in the transatlantic dialogue which has all too often been the prerogative of specialists. The Committee hopes that the conclusion of the joint EU-Canada action plan will stimulate the Committee to continue its work in this field.

16. INTERNATIONAL CARRIAGE OF PASSENGERS BY COACH AND BUS

Opinion of the Economic and Social Committee on the Proposal for a Council Regulation (EC) amending Council Regulation (EEC) No. 684/92 on common rules for the international carriage of passengers by coach and bus
(COM(96) 190 final - 96/0125 SYN)

(CES 1390/96 - 96/0125 SYN)

Rapporteur: Hubert GHIGONIS (France - Employers)

Gist of the Commission document

Council Regulation 684/92¹ on common rules for the international carriage of passengers by coach and bus constitutes the general legal framework for international carriage of passengers by coach and bus in all the Member States of the Community and, following the entry into force of the EEA Agreement, the countries of the European Economic Area. It introduced the principle of the freedom to provide services in this sector. In practice, this means that carriers are permitted to carry out international transport services between Member States without discrimination on grounds of nationality or place of establishment, subject to certain conditions.

The Regulation defines the various passenger transport services and specifies for each of them the conditions of market access. Authorization is mandatory in respect of: regular services and shuttle service without accommodation, residual occasional services, certain specialized regular services and certain own-account services. The procedures for issuing authorizations were simplified and it was stipulated that reasons had to be given in the event of the refusal of an application for authorization.

Article 20 of Regulation 684/92 states that the Commission must report to the Council on its application before 1 July 1995. Before 1 January 1996, the Commission must present to the Council a proposal for a regulation on the simplification of procedures including - in the light of the report's conclusions - the abolition of authorizations.

In response to these provisions, the Commission has drafted a new proposal for a regulation making the following amendments:

- abolition of the category of international shuttle services
- abolition of the category of residual occasional services
- liberalization of all occasional services
- liberalization of all special regular services and own-account transport operations
- improved wording of the definition of occasional services
- introduction of the Community coach licence
- restoration of competition between regular coach and bus services and regular rail services by deleting point (ii) of Article 7(4)(b)
- extension of certain time limits.

¹ OJ No. L 74 of 20 March 1992, p. 1

ESC Opinion - OJ No. C356 of 30 December 1987, p. 62.

Gist of the opinion

The Committee has studied the Commission document with keen interest and welcomes the drive to clarify and simplify the existing rules.

Though the Committee fully supports the creation of new jobs in the transport sector, it feels that liberalization could result in cut-throat competition which could easily lead to a drop in prices, bankruptcy and hence increased unemployment.

The Committee is also aware that an increase in bus and coach carriage could provide opportunities for transport-related industries, besides facilitating the mobility of EU citizens and their free choice of modes of transport.

In addition, the ESC

- supports the retention of the conditions laid down for access of this type of carriage to the market;
- finds it necessary to retain an authorization procedure for other own-account transport operations in addition to those defined in the proposal to avoid any unfair competition with carriers working for another party;
- welcomes the idea of a Community licence;
- feels that some control over the operation of additional vehicles should be retained;
- points out that carriers will be hit by the fact that international occasional services will no longer be able to undertake local excursions;
- in particular welcomes the rules governing driving and rest time and roadworthiness tests which have been added in the new proposal.

Lastly, the ESC is particularly aware of the importance of coach passenger safety and the need to provide full safety details during coach journeys, especially international long-distance journeys. The ESC feels that safety must be guaranteed as effectively as possible and urges the Commission to take this factor into account when finalizing the present proposal and preparing future initiatives in the sphere of international carriage of passengers by road.

17. TELEMATICS SYSTEMS/INTERMODAL TRANSPORT (*Own-initiative Opinion*)

Opinion of the Economic and Social Committee on Telematics system of intermodal transport in Europe

(CES 1391/96)

Rapporteur: Dethmer KIELMAN (Netherlands - Employers)

Reasons for drawing up an opinion

The first pan-European transport conference was held in Prague in October 1991, following an initiative by the European Parliament and the Commission. This was followed by a second conference held in Crete in March 1994.

In the course of preparatory work for the second pan-European transport conference the Committee, represented by the Section for Transport and Communications, decided to make its own contribution to this

important initiative for pan-European cooperation on transport². Since then, the Committee has been continuously involved in the work of the ad hoc Steering Committee³.

The preparations for the third conference in Helsinki in 1997 provide Steering Committee members with more opportunities to structure the substance of the debate in Helsinki. The emphasis at the Helsinki conference will be on "intelligent use of trans-European networks", dealing especially with the future importance of telematics systems. The Committee's task in these preparations is to draw up a report on telematics systems in intermodal transport.

Building on previous section work on telematics, this own-initiative opinion is to focus on the principle of intermodality and cooperation throughout Europe.

The Committee will make a specific contribution to the Helsinki conference by summing up the current situation, the problems of and the prospects for intermodal telematics systems throughout Europe.

Gist of the opinion

Telematics applications need to be deployed to meet the genuine user needs of all actors in freight transport. The technology is not an end in itself.

The social aspects of technology development should not be overlooked when developing and applying telematics to intermodal transport. Telematics applications in transport can have a big impact on working conditions, employment and the organization of work. New technologies require different forms and levels of education and training.

In addition, the following points should be borne in mind when applying telematics to intermodal transport:

- the target should be the use of total intermodal transport chains;
- application should be consistent with the goods categories and logistic chains of the shipping industry;
- as much use as possible should be made of existing, accepted techniques;
- a bottom-up approach from the sector should be encouraged;
- as many branches as possible should be penetrated;
- small firms should also be able to use and apply telematics systems;
- organizations and people should come first, with technology following after;
- plenty of attention should be paid to transferring know-how;
- telematics systems' development should be closely geared to the development of Trans-European networks;
- there should be harmony between European programmes and initiatives and national and regional initiatives.

² OJ No C 352 of 30/12/93, p. 23.

³ The Steering Committee is co-chaired by Mr Lüttge, MEP and Mr Hahn, Commission DG VII, it comprises Members of the European Parliament's Committee on Transport and Tourism and representatives of the Council of Ministers, the European Commission, the Economic and Social Committee, the European Conference of Transport Ministers (ECTM), the United Nations Economic Commission for Europe and the European Civil Aviation Conference (ECAC)

18. SAFETY/FISHING VESSELS

Opinion of the Economic and Social Committee on the Proposal for a Council Directive setting up a harmonized safety regime for fishing vessels of 24 metres in length and over
(COM(96) 255 final - 96/0168 SYN)

(CES 1392/96 - 96/0168 SYN)

Rapporteur: Eduardo CHAGAS (Portugal - Workers)

Gist of the Commission document

Safety of fishing vessels has always been of great concern to the European Community. Recognizing that fishing is among the most accident prone occupational activities known to man, several initiatives were taken both at worldwide and at European level aiming at the improvement of this situation.

At Community level, initiatives have focused so far essentially on the improvement of the working and living conditions of fishermen on board fishing vessels (see Directive 93/103/EC⁴).

At international level the situation is rather complex. In 1977, 45 countries including the 9 coastal Member States of the Community agreed in Torremolinos upon a safety regime for fishing vessels of a length of 24 metres or more and signed the International Convention for the Safety of Fishing Vessels, called the 1977 Torremolinos Convention⁵. The rules it contains are based on the provisions of the SOLAS Convention. The Convention has never entered into force as the minimum number of ratifications required has never been achieved.

The objective of the proposal, which is part of the EU's policy to improve safety in maritime transport, is the establishment of a harmonized set of safety standards for fishing vessels flying the flag of a Member State as well as for vessels of third countries operating in the internal or territorial waters of the Member States or landing their catch in a port of a Member State.

The standards laid down in the Directive concerning the construction, stability, machines and electrical equipment, fire-fighting and life-saving equipment, are based to the greatest possible extent on the 1993 Torremolinos Protocol, taking full account of regional and local circumstances as far as necessary.

Finally, the proposal lays down procedures for the issue of certificates of conformity by recognized bodies in order to ensure that the desired level of safety is achieved and maintained.

Gist of the opinion

The Committee welcomes the Commission proposal as it will help to improve fishing safety standards.

However, it stresses the need for appropriate measures to provide an accurate picture of the number and impact of accidents on fishing vessels, including fatalities, industrial accidents and industrial diseases that affect fishermen.

While supporting the aim of making the requirements mandatory for third country vessels which wish to fish in Member States' internal or territorial waters or land their catch at an EU port, the Committee feels that this

⁴ OJ L 307, 13.12.1993, p. 1
ESC Opinion - OJ C 169, 06 07.1992, p. 46.

⁵ Revised at a new Torremolinos conference held on 22 03-02.04 1993 by the adoption of a Protocol to the 1977 Convention.

will be difficult to check. The Commission should encourage Member States to increase the means of checking, both on land and at sea.

The Committee considers it vitally important that, as the Commission proposes, common safety standards and requirements be laid down for fishing vessels measuring 24 metres or more, as an initial step. It also supports the Commission's intention to study measures for existing vessels and for vessels of less than 24 metres on top of the measures already laid down for other vessels. These studies should be issued by 1 January 1998 so that the new proposals which the Commission intends to present can also cover these groups of vessels.

Lastly, the Committee thinks that if safety standards on board fishing vessels are to be improved, it is vital that workers in the sector are properly trained. Accordingly, and although this falls outside the scope of the Commission's proposal, the Committee asks the Commission to urge Member States to ratify as soon as possible the 1995 STCW-F Convention laying down the minimum training and certification standards required of workers on board fishing vessels.

19. EQUALITY OF OPPORTUNITY PEOPLE WITH DISABILITIES

Opinion of the Economic and Social Committee on the *Communication to the Commission on Equality of opportunity for people with disabilities - a new European Community disability strategy and on the Draft Resolution of the Council and of representatives of the governments of the Member States meeting within the Council on equality of opportunity for people with disabilities*
(COM(96/ 406 final - 96/0216 CNS)

(CES 1393/96 - 96/0216 CNS)

Rapporteur: Christina WHAROLIN (Sweden - Various Interests)

Gist of the Commission communication

Many years of public policy aimed at accommodating people to their disabilities has proved to be insufficient. The old approach is now giving way to a much stronger emphasis on identifying and removing the various barriers to equal opportunities and full participation in all aspects of life.

Primary responsibility for action in this area rests with the Member States. The implementation of the new approach is going on in all Member States, in different ways, in different fields and at different paces. The Commission proposes that the Council endorse this new approach by adopting a Resolution on Equal Opportunities as a solemn political commitment of the Member States - both individually as well as collectively - to the goal of achieving equal opportunities and non-discrimination in the field of disability.

This resolution should serve as a reference framework for the structured exchange of useful information between the Member States; as a platform to stimulate clarification of common goals and the identification of best practice; and as a guide for the development and assessment of appropriate measures within the Member States and the Community's own respective spheres of action.

The Commission envisages a strategy for concrete actions consistent with the resolution including, inter alia, the following initiatives:

- **Mainstreaming.** In order to optimize the integration of disability issues into mainstream Community policies and actions, the Commission will strengthen the operation of its inter-service group on disability.
- **Cooperation.** A high level group of Member States' representatives on disability will be set up in order to keep policy developments in Member States under review and to pool information and experience.

- **Encouragement of the work of Non-Governmental Organizations (NGOs).**
- **Employment.** In the preparation of the Single Report to the European Council in Dublin, the next stage in the Essen process, the Commission will take the initiative to strengthen policies for the prevention of long term unemployment and for the integration of disabled people into working life.
- **Information and Communication Technologies (ICTs).** To harness the potential of the Information Society in the pursuit of equal opportunities the Commission will set up an internal ad hoc group to that end.
- **The Structural Funds.** A total of ECU 5.5 billion is specifically allocated to contribute to combating exclusion for the period 1994-99. As part of its forthcoming mid-term evaluation of the Structural Funds, the Commission will try to assess the extent and impact of actions in respect of people with disabilities.

Summary of the opinion

The Committee appreciates the Commission's initiative and sees it as a major contribution to the way the role of people with disabilities in society is viewed. It is vital that the resolution should reinforce - not compete with - the UN standard rules. However, practical measures and prioritization of resources hold the key to translating aspirations into reality. The Committee therefore stresses that the Member States should give the utmost attention to this resolution and take active steps to realize its aims and the aims of the UN standard rules.

The Communication states that the Commission intends to involve all directorates-general concerned in an inter-service disability group. A variety of initiatives, e.g. in research, education and transport, are to be examined. The Committee would stress the vital importance of realizing this ambition. As a prerequisite, the Commission should make a careful study of the impact of its future proposals on people with disabilities, especially from the angle of accessibility.

To enable the Commission to implement its mainstreaming strategy effectively, the Committee advocates that the Commission's disability group be backed by officials with sound expertise in the field. An internal liaison unit should be formed, and could appropriately be based on the team of experts currently attached to the HELIOS II programme. This group should provide back-up to the Commission's inter-service disability group. Adequate funding must be earmarked for this work, which the Committee would like to be given high priority in the future budgetary preparations. The Committee observes with disquiet the great uncertainty that currently prevails as to what will happen with disability questions at the end of 1996, when the HELIOS II programme comes to an end. The Committee regards as inadequate the promise given in the Commission's communication to contribute to certain activities (e.g. publication of the newsletter on disability issues, HELIOSCOPE) "to the extent that the Community budget allows".

To maximize the impact of mainstreaming, resources are needed. For instance, to make it practically possible for disabled students to participate in the EU educational exchange programme, funds will have to be earmarked for these students' specific needs.

The Committee has repeatedly stressed the importance of employment issues. This is particularly relevant in the case of people with disabilities. Consequently, the Committee wishes future work on the communication and resolution to give high priority to employment. The Commission should assess what share of Structural Fund resources is allocated to people with disabilities and, should the amount prove to be small, the Committee recommends that the disabled, as a group, be assigned higher priority. Here the Committee would urge all EU institutions to press for the recruitment of more staff with a disability.

The Committee welcomes the idea of setting-up a special high level group with representatives from the Member States which should concern itself especially with employment issues and frame proposals on ways of improving the free movement of disabled workers, as well as following up and appraising the results. The Committee advocates that the subsidiarity principle serve as a guideline for this work.

The Committee would stress the importance of ongoing dialogue between the Commission's disability group and special high level group and the European disability forum.

The resolution contains a definition of "people with disabilities". However, the Committee regards this definition as superfluous and considers that the resolution should instead endorse wholeheartedly the definition used in the UN standard rules. Otherwise there is an obvious risk of confusion as to which definition should apply.

20. FUTURE OF SOCIAL PROTECTION

Economic and Social Committee Opinion on the *Communication from the Commission on the future of social protection: a framework for a European debate*
(COM(95) 466 final)

(CES 1400/96)

Rapporteur: André LAUR (France - Various Interests)
Co-rapporteurs : Ieke van den BURG (Netherlands - Workers)
Carlo Ernesto MERIANO (Italy - Employers)

Commission communication

The communication is designed to open a debate within the Community institutions on the future of social protection, and to promote joint consideration by the Member States of ways of making the social protection system more effective and more employment-friendly. The communication makes an initial analysis of some of the problems surrounding social protection in Europe.

The following subjects for debate are proposed:

- the challenges arising from the deteriorating relationship between the size of the labour force and the numbers of pensioners;
- how to make social protection more employment-friendly;
- the financing of social protection;
- changes in health-care systems, notably the establishment of more systematic exchanges of experience in this field between the Member States;
- a broad assessment of the operation of the coordination of social security schemes for persons moving within the Union and examination of the relationship between coordination and convergence of social protection systems;
- examination of the principles whereby the institutions managing both statutory and supplementary schemes and insurance companies can operate alongside each other in the single market;
- the future of social protection in the longer term.

Drawing on the results of this debate, the Commission will take stock of responses and propose appropriate follow-up, before the end of 1996.

