

EUROPEAN COMMUNITIES

# BULLETIN

1

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



## Chair

**President:** Carlos FERRER  
(Spain - Employers)

**Vice-Presidents:** Bent NIELSEN  
(Denmark - Workers)

André LAUR  
(France - Various Interests)

**Secretary-General:** Simon-Pierre NOTHOMB  
(Belgium)

## 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.

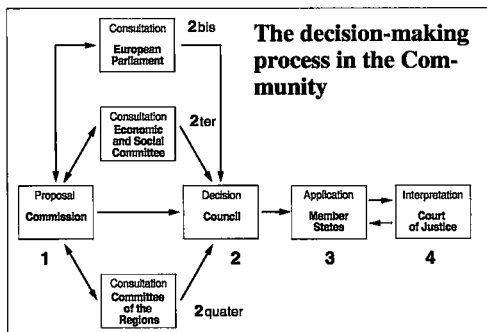
## Information and Integration Role

Over the last few years the ESC has stepped up its role in the European Union and has transcended the straightforward 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
<b>TOTAL</b>	<b>1,245</b>

## 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.

EUROPEAN COMMUNITIES

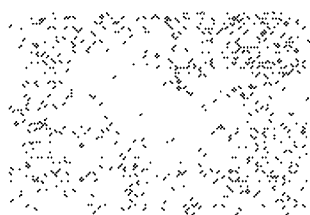
# BULLETIN

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ECONOMIC AND  
S O C I A L  
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)

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## I. 332nd PLENARY SESSION HELD ON 31 JANUARY AND 1 FEBRUARY 1996

The Economic and Social Committee of the European Communities held its 332nd Plenary Session in Brussels on 31 January and 1 February 1996, with Mr Carlos FERRER in the chair.

The following ESC Opinions were adopted at the Session:

### 1. COPYRIGHT IN THE INFORMATION SOCIETY

**Opinion of the Economic and Social Committee on the *Green Paper: Copyright and related rights in the Information Society***  
(COM(95) 382 final - 95/0281 CNS)

(CES 91/96 - 95/0281 CNS)

Rapporteur : Mr Robert J. MORELAND (United Kingdom - Various Interests)

#### **Gist of the Commission proposal**

The Green Paper examines a range of issues arising from the impact of new technologies and the information society on copyright and related rights (rights of performers, broadcasters and producers of recordings), including the effects of measures in this area on the free provision of information society services. On the basis of interested parties' responses to the questions raised in the Green Paper, the Commission will assess the need for EU-level measures, and the form such measures should take.

To satisfy investors, an adequate EU legal framework must not merely guarantee sufficient protection for their investments, but also needs to assure them that a single market will be established, incorporating the free provision of information society services.

#### **Key issues**

The Green Paper, which takes into account the results of hearings held with interested parties in July 1994, deals in particular with such issues as:

In the Information Society most of the works will be disseminated in digital format. Digitization makes it possible to make an unlimited number of copies of the same quality as the original.

Does Community law need to provide that the act of digitization of a work requires the prior authorization of the original rightholder?

New technologies will lead to a significant increase in direct communication between service providers and individuals at the receiving end of an on-line service.

Where is the borderline between "communication to the public" requiring prior authorization by the rightholder and "individual communication" which is, in principle, tolerated?

On the information superhighways a multitude of new kinds of digital transmission will take place.

Does the rental right (already harmonized by Directive 92/100/EEC offer adequate protection to the rightholder in cases of electronic delivery?

Digital, multi-channel broadcasting enables the consumer to record an unlimited number of perfect copies of works.

Should particular rightholders be entitled to an exclusive broadcasting right?

In the information society, the reception of services over networks is likely to take place in a large number of countries.

Should, therefore, the traditional rule of applying the law of the country where copyright protection is being sought be replaced by a new rule such as the country of origin principle (whereby the copyright rules of the country of origin apply throughout the EU)? If so, which conditions need to be fulfilled?

The assembly of multimedia products and other new services require easy identification of rightholders and the acquisition of rights at fair terms.

Are the collecting societies ready to bring adequate responses to these challenges concerning the management of rights? Are new initiatives necessary?

Digitization offers new ways of identifying and protecting works. This may improve and facilitate the administration of rights.

Is the industry ready to agree on technical means for making such a development possible? Is regulatory intervention at EU level necessary?

New technologies (notably digitization) make it easy to adapt or transform existing works (e.g. by colouring a black and white film). Such an act affects the moral rights of rightholders.

Should moral rights be harmonized at EU level?

### **Gist of the Opinion**

The Committee welcomes the Green Paper, particularly because the rapid development of technology means the constant reevaluation of the legal rules which govern it.

The most appropriate level for dealing with questions of intellectual property in the information society must be at the international level in the long term: the information society is reducing the significance of national boundaries. At the least, therefore, initiatives in this field should be at Community rather than national level and the emphasis must be on achieving an agreed position for the EU. This will be particularly important in the light of conclusions reached by the US Government in its recent White Paper on this subject.

The Legal Protection of Data Bases Directive is sufficient to protect most multimedia products. In addition, there is a case for strong moral rights' legislation at the EU level.

**Applicable Law.** In principle, the Committee agrees that, as the Commission suggests, the solution to the difficulty presented by frequent transfer of data between countries may be a "country of origin" rule along the lines of the Cable and Satellite Directive. But any such legal provision must ensure that the right holder has the right to enforce his rights in the territory into which the download takes place. There is also need to harmonize and strengthen and practise enforcement rules on an EU level.

**Exhaustion of Rights.** The basic question is whether electronic or physical imports from outside the Community are subject to the control of the intellectual property right holder when they enter the Community. In general, an intellectual property right holder should retain all control over the importation and further distribution of products incorporating its intellectual property rights. But in circumstances where a third country has adequate intellectual property right protection, and the intellectual property right holder has authorized the distribution of products in electronic form, this general principle may be varied. In those limited circumstances, the intellectual property right holder should not have the automatic right to restrict importation into the EC.

**Digitization.** The digitization of a work (permanently or temporarily) is the same way as any other method of copying and in principle should be treated in the same way; to the extent that this is not a principle common to all Member States, harmonization measures should ensure that it is. A second and related question is whether the right of the copyright owner relating to digitization should be the right to exclude others from digitizing the



work without consent or whether it should simply be a right to receive remuneration for digitization which, subject to the payment of that remuneration, would be authorized. Granted that digitization is no different from other means of copying, the Committee sees no reason to depart from the basic principle that the right of the copyright holder to prevent it should be an exclusionary one.

**Private copying.** Although it is not the case that private copying should be treated as automatically permitted, the priority should be to ensure that unlicensed copying for commercial purposes should clearly be forbidden. Special attention merits the copying for educational and scientific use. So far as private, non-commercial copying is concerned, priority should be given to issues which clearly have a detrimental effect.

**Technical protection.** The question is raised as to whether Member States should make provision for legal measures which guarantee compliance with technical systems for protection against copying. In the Committee's view, it is not appropriate to impose upon right owners or manufacturers the obligation to follow any particular regime of technical protection but, if one is followed, then it should be unlawful to assist in circumventing it.

**Digital broadcasting.** The principles set out above indicate that the rights of "related right" holders in principle be exclusive ones, not merely rights to equitable remuneration and that there should be no distinction in this regard between analogue and digital broadcasts.

**Digital dissemination or transmission right.** In the Committee's view, transmission should be covered by the exclusive rights of the right holder, including the exclusive right to make works available to the general public. One simple method could be to ensure that the right to prevent point-to-point transmission is part of the right to prevent reproduction. An alternative, favoured by the US Government in its White Paper, would be the creation of an exclusive transmission right as part of the distribution right. The former is simpler.

**Moral rights.** The increased cross border traffic in works means that there is a stronger case for harmonization than there has been before. The ease with which digital works can be altered means that the case for strong moral rights, at least at the level provided by the Berne Convention is, in the Committee's view, made out. However, a waiver of the use of these rights in explicit cases should be permitted.

**Management of rights.** There are also questions on acquisition and management of rights and on technical systems of protection, in particular as to whether there should be a centralized scheme for rights clearance for multimedia products and whether the Community should lay down rules for the central management of such schemes. In the view of the Committee, it is premature to consider centralized management of rights in this way; if authors want to licence their rights collectively, there is no reason to support that they will not band together to do so without intervention at EU level, as has happened in the past in the Member States.

**Other issues - Computer generated works.** The Green Paper does not touch upon the question of the protection of computer generated works, that is to say works which have been directly created by a computer programme. The progress of technology has increased the number and quality of such programmes and the issue should, in the Committee's view, be reconsidered. The Committee welcomes the Commission's stated intention to study the problem further.

## 2. PERSONAL PROTECTIVE EQUIPMENT

**Opinion of the Economic and Social Committee on the Proposal for a European Parliament and Council Directive amending Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment**  
(COM(95) 552 final - 95/0279 COD)

(CES 90/96 - 95/0279 COD)

Rapporteur working alone : Mr George WRIGHT (United Kingdom - Workers)

## 6. AMENDMENT - EXPORT OF CULTURAL GOODS

**Opinion of the Economic and Social Committee on the Proposal for a Council Regulation (EC) amending the Annex to Council Regulation (EEC) No. 3911/92 of 9 December 1992 on the export of cultural goods, and the Proposal for a European Parliament and Council Directive amending the Annex to Council Directive No. 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State**  
(COM(95) 479 final - 95/0254 COD - 95/0253 ACC)

(CES 96/96 - 95/0254 COD - 95/0253 ACC)

Rapporteur working alone : Mrs Beatrice RANGONI MACHIAVELLI (Italy - Various Interests)

### Gist of the Commission proposal

In order to meet the objective referred to in Article 7a of the EC Treaty of a border-free area in which goods can circulate freely, the Community has developed two extra pieces of legislation covering cultural goods:

- Council Regulation (EEC) No. 3911/92 of 9 December 1992 on the export of cultural goods<sup>7</sup>, and
- Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State<sup>8</sup>.

These two instruments provide Community protection for national treasures over and above that which Member States are entitled to offer under Article 36 of the EC Treaty. The scope of such protection is laid down uniformly in the categories of cultural goods in the Annexes. The Annexes are the same for the Regulation and the Directive so that equal protection can be given to a set artefact irrespective of the Member State in which it is found.

- Cultural objects listed in one of the categories of the Annex may only be exported on presentation of the export licence referred to in the Regulation irrespective of which Member State they are going to or coming from.
- Cultural objects in one of the categories of the Annex which have been illegally removed from a Member State which deems them to be national treasures may be recovered under the terms of the Directive, irrespective of the Member State in which they are found.

In other words, the treatment and protection of a cultural object listed in one of the categories of the Annex and destined for export or recovery must be the same throughout the Community.

The Advisory Committee on cultural goods set up to help the Commission implement the Regulation generally (Art. 8) and examine any issues connected with implementation of the Annex to the Directive (Art. 17) has pointed out that the current wording of the Annex does not provide identical treatment for water colours, pastels and gouaches. This is because of discrepancies in the different languages versions arising from the differing artistic traditions of Member States.

As this state of affairs runs counter to the aim of the Regulation and the Directive and to the wishes of the Member States as confirmed in the Advisory Committee, the Annex needs to be amended.

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<sup>7</sup> OJ No. L 395 of 31.12.1992, p. 1

<sup>8</sup> OJ No. L 74 of 27.3.1993, p. 74

### **Gist of the Opinion**

In its Opinion on the original proposal for a Regulation and Proposal for a Directive<sup>9</sup> the Committee drew attention to the danger that these provisions could be interpreted in different ways (see Point 1.4.5.). The Committee approves the proposed specific, limited amendments to the Annexes, insofar as they are designed to bring about greater legal certainty in respect of the implementation of the EU provisions.

With a view to the three-yearly review of both the Regulation and the Directive - due to be carried out in 1996 - and in the light of the implementation reports provided for in Article 10 of the Regulation and Article 16 of the Directive, the Committee does, however, wish to take this opportunity to call upon the Commission to attach especial importance to the following:

- the level of implementation of the Regulation and the Directive in the various Member States;
- the advisability of introducing a form of "passport" or accompanying certificate for particular works of art;
- increased cooperation between police forces and legal authorities in the field of the identification of stolen or unlawfully exported cultural goods.

On a more general note, the Committee gives its backing to all endeavours to safeguard the immense heritage of cultural goods in the EU; these cultural goods are an integral part of Europe's history and its different cultures.

### **7. SUPPORT SYSTEM/ARABLE CROP PRODUCERS**

**Economic and Social Committee Opinion on the Proposal for a Council Regulation (EC) amending Council Regulation (EEC) No. 1765/92 establishing a support system for producers of certain arable crops**  
(COM(95) 497 final - 95/0265 CNS)

(CES 98/96 - 95/0265 CNS)

Rapporteur : Mr Giuseppe PRICOLO (Italy - Employers)

### **Gist of the Commission proposal**

The aim of the proposal is to amend Council Regulation (EEC) No. 1765/92 so as to introduce a corrective mechanism applicable to contracts for certain oilseeds grown on land set-aside for the production of raw materials used in the manufacture within the Community of products not primarily intended for human or animal consumption.

This mechanism is required in order to comply with point 7 of Council Decision 93/355/EEC concerning the conclusion of a Memorandum of understanding on certain oilseeds between the European Economic Community and the United States within the framework of the GATT.

### **Gist of the Opinion**

The Committee points out that although the Commission's initiative is aimed basically at setting up, under the basic Regulation 1765/92, the legal machinery for ensuring that the pledges arising out of the Blair House Agreement are kept, the proposed measures will in fact discourage the growing of crops which might be used for the extraction of fuels.

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<sup>9</sup> OJ No. C 223 of 31.08.1992

## 8. SHORT SEA SHIPPING

**Opinion of the Economic and Social Committee on the *Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions - the development of short sea shipping in Europe: prospects and challenges***  
(COM(95) 317 final)

(CES 93/96)

Rapporteur : Mrs Anna BREDIMA-SAVOPOULOU (Greece - Employers)

### Gist of the Commission document

In its White Paper of December 1992<sup>10</sup> on the future development of the Common Transport Policy, the Commission announced its intention to draw up a number of legislative proposals for the promotion of short sea shipping as an energy-efficient, non-polluting alternative to road freight.

The Communication examines the potential contribution of short sea shipping (defined as any maritime transport service which does not involve an ocean crossing) to the achievement of sustainable mobility via the transport system. It focuses on the following three main lines of action:

- a) **Improving the quality and efficiency of short sea shipping services** (role of the Community's 4th Framework Programme in Research and Development and its impact on short sea shipping; relevance of other specific programmes; full implementation of Electronic Data Interchange (EDI)).
- b) **Improving port infrastructure and port efficiency** (importance of ports and port-related infrastructure projects of common interest within the framework of the trans-European network plan; transparency in port tariffs and State aid to ports; action on working hours; establishment of informal discussion structures).
- c) **Preparing short sea shipping for a wider Europe** (creation of Working Groups for the Development of Waterborne Transport in the Baltic, the Mediterranean and the Black Sea, which will set up multiannual work programmes aimed at developing the potential of short sea shipping in their regions and providing the necessary framework for the financing of this initiative by the EU and other donors).

With this Communication, the Commission hopes to stimulate a general political and public debate on the ideas outlined, as already announced in its work programme for 1995<sup>11</sup>. The results of this debate should help the Commission to draw up concrete proposals.

### Gist of the Opinion

While welcoming the Communication on short sea shipping, the ESC thinks that urgent attention must be given to the following:

- enabling short sea shipping to compete on equal terms with the other transport modes through transparency of subsidies and future internalization of external costs; the role of the European Commission in defining and implementing this idea will be crucial;
- full integration of short sea shipping in the trans-European networks as an equal partner with the other transport modes;

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<sup>10</sup> COM(92) 494 final

<sup>11</sup> OJ No. C 225, 30.8.1995, p. 29

- working out practical solutions to administrative problems affecting short sea shipping (e.g. customs/transit procedure);
- upgrading the role of small and medium-sized ports to relieve congestion in large ports and main roads;
- improving and expanding the study of the eight trade corridors;
- a clearer image of short sea shipping as a commercially attractive alternative mode of transport;
- continuing support for and coordination with the MIF Short Sea Panel and support for the work of the Round Tables;
- concentration on the social dimension of the short sea sector (and especially on training).

To achieve the above, it is necessary to draw up a list of priorities and introduce continuous monitoring of the relevant actions, with close cooperation between the Commission, the Member States and the MIF Short Sea Panel.

Finally, the Committee hopes that the Communication will be followed up with concrete measures, and looks forward to receiving the expected Commission document on sea-transport strategy.

## **9. FREE MOVEMENT OF MEDICINAL PRODUCTS - REMOVAL OF EXISTING BARRIERS** *(Own-initiative Opinion)*

**Opinion of the Economic and Social Committee on the *Free movement of medicinal products in the EU - removal of existing barriers***

(CES 89/96)

Rapporteur : Mr Sergio COLOMBO (Italy - Workers)

### **Aim of the Opinion**

In the early 1990s, the EU Council of Ministers approved a number of Directives designed to harmonize the complex mechanisms governing the production and proper use of medicinal products in the EU.

Since 1993 this constructive process has come to a halt, despite the continued existence of obstacles to the free movement of medicinal products and to "equal treatment" of the European public.

To illustrate the differences which remain, one need only mention the problem of drug prices and the different reimbursement systems in Member States' health and social security schemes.

The Environment Section is therefore seeking ESC Bureau authorization to draw up an Own-initiative Opinion which, by re-opening the debate on an issue with important implications for public health, should actively help to solve these admittedly complex problems.

### **Gist of the Opinion**

The ESC's intention in drawing up an Own-initiative Opinion on the removal of barriers hampering the free movement of medicines in the EU is to draw attention to the decisive role which Community action can play in this sector - a sensitive one because citizens' health is at stake -since the proper use of medicines represents a major contribution to an improved quality of life.

The Opinion outlines the strategic and operating suggestions which all the social forces represented on the ESC commend to the European Commission and the EMEA to further a policy supporting medicines.

The ESC believes that this type of action should take place within a reference framework which reflects, in terms of:

- **general policy:**
  - the objectives and priorities of medical treatment;
  - a strengthening of the European Commission's initiative in providing guidance on decisions to be made by national bodies, encouraging measures which further convergence and slowing down those which move away from the necessary process of Community-level harmonization;
- **social policy:**
  - a future guarantee of equal availability of medicines to all European citizens;
  - social protection arrangements adapted to the need for a high level of health protection;
- **industrial policy:**
  - conditions enabling the European pharmaceutical industry to become highly competitive with their US and Japanese counterparts;
  - encouragement for expanding employment within the sector.

The availability of safe, effective medicines, an industry which can ensure world-level competitiveness, the professional skills of those working at every stage of the production cycle and the potential for scientific innovation produced by European research represent the best safeguard for the most vulnerable sector of the society: the sick.

This contribution to health protection must not remain the exclusive property of industrialized nations, but should serve as a means of expressing solidarity with the developing countries in improving the quality of life.

## 10. RELATIONS UE/ANASE (*Own-initiative Opinion*)

**Opinion of the Economic and Social Committee on Relations between the European Union and ASEAN**

(CES 99/96)

Rapporteur : Mr Antonello PEZZINI (Italy - Various Interests)

### **Reasons for the Opinion**

In July 1994 the Commission adopted a Communication entitled "Towards a new Asia strategy". The broad objectives set out in the Communication are:

- to strengthen the EU's economic presence in Asia - a region which the World Bank estimates will account for nearly 50% of world growth in the year 2000;
- to further stability in Asia by promoting international cooperation and strengthening the EU's political relations with Asian countries;

- to promote the economic development of the less prosperous countries and regions of Asia;
- to contribute to the development and consolidation of democracy and the rule of law, and respect for human rights and fundamental freedoms.

At the Essen Summit, the European Council stressed the economic and political importance of Asia-Pacific region states, and confirmed that the EU and its Member States wished to strengthen cooperation and dialogue at all levels with the countries and regional organizations of the area, in particular ASEAN.

ASEAN, which was set up in 1967, comprises Brunei, Indonesia, Malaysia, the Philippines, Singapore and Thailand. EU trade with ASEAN is growing faster than with any other region and currently stands at some ECU 49 billion, almost four times the level in 1980, when the EU-ASEAN cooperation agreement was signed.

The agreement, which covers trade, economic and development cooperation, has led inter alia to the holding of ministerial meetings; the eleventh was held in Karlsruhe on 23 September 1994.

EU-ASEAN relations face a few problems, notably as regards market access. However, both parties stress the enormous untapped trade potential and wish to step up their cooperation in such sectors as science and technology, energy, drugs and development. The EU has also undertaken to support these countries' drive to create a free trade area by the year 2003.

With its experience in many of these areas, the Committee could draw up useful recommendations on the development of trade and larger-scale cooperation with ASEAN.

### **Gist of the Opinion**

The Committee notes that ASEAN has succeeded in its initial objective of avoiding conflict between its members, and that the resultant stability has enabled these countries to enjoy strong economic growth.

ASEAN's objectives have changed somewhat over the years, notably with the recent decision to establish a free trade area among its members. In this context, and in that of the accession of former or existing Communist countries (another issue which ASEAN must address), the EU could usefully pass on its experience, for instance by stepping up its cooperation with the ASEAN secretariat.

Present trade between the EU and ASEAN amounts to some ECU 50 billion, and the trade balance tilts markedly in favour of ASEAN. Bilateral trade relations are marred by a number of problems such as market access or the use of anti-dumping duties. Here the Committee considers that the EU needs first of all to improve its own commercial image in Asia. It hopes that the opening of European Business Information Centres (EBICs), and their linkage with the existing national Chambers of Commerce, will contribute to more fruitful forms of cooperation.

The Committee feels that the quality of the European presence in Asia is more important than its size. It therefore advocates the setting-up of joint ventures between EU and ASEAN countries, via the EC Investment Partners. The Committee also recommends that EU cooperation should focus on specific sectors such as the environment, telecommunications, energy and vocational training.

Dialogue on human rights issues is a delicate matter, as the region's governments are not at all sensitive to western concerns, and tend to regard attempts to tackle the question as interference in their internal affairs and as an attempt to "impose" European values. The Committee reiterates its earlier calls for inclusion of a social clause in the work programme of the World Trade Organization, based on ILO Conventions. On the specific question of East Timor, the Committee considers that a Council "Troika" should draw up a proposal and hammer out a diplomatic solution based on the UN General Assembly resolutions.

An EU-Asia summit is to be held in Bangkok in March 1996, and the ASEAN countries will be taking part alongside Japan, China and South Korea. The Committee considers that the summit will provide an opportunity to relaunch a European presence in the region. The meeting should serve principally to consolidate dialogue and extend its scope to such fields as the environment, social problems and vocational training.

The Committee notes the wide gap between Europe and Asia, and calls for a major commitment to information and cultural cooperation; substantial resources should be assigned to this purpose. The Committee points out that a variety of exchanges and contacts could usefully be promoted so as to deepen mutual understanding. These should include visits by civil servants, trainees and new graduates from ASEAN countries, and contacts between EU and ASEAN socio-economic partners.

## 11. ZOONOSES

**Opinion of the Economic and Social Committee on the *Proposal for a Council Directive amending Directive 92/117/EEC concerning measures for protection against specified zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications***  
(COM(95) 491 final - 95/0255 CNS)

(CES 97/96 - 95/0255 CNS)

Rapporteur : Mr José Luis MAYAYO BELLO (Spain - Various Interests)

### **Gist of the Commission proposal**

In the light of the experience acquired and the importance accorded to the prevention and control of zoonoses, it is necessary to carry out a substantial review of the provisions of Council Directive 92/117/EEC of 17 December 1992 concerning measures for protection against specified zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications, as amended by the Act of Accession of Austria, Finland and Sweden.

Pending this substantial review of Directive 92/117/EEC, the Commission is proposing to extend the deadlines for implementation of the provisions concerning new rules for the reporting system of zoonoses, the establishment of methods for collecting samples and carrying out examinations, the implementation and approval of certain national measures, and the plans to be submitted by third countries.

### **Gist of the Opinion**

The Committee notes that Directive 92/117/EEC has proved difficult to implement in a number of Member States, and supports the Commission's intention to carry out a thorough review of it. The ESC points out its interest in control and protection against zoonoses, and asks that the Committee be consulted on the proposed new Directive in due course.

## II. FUTURE WORK

### **Industry Section**

- Personal protective equipment (PPE)  
COM(95) 552 final - 95/0279 COD  
Deadline: January
- European Guarantee Fund to promote cinema and television production  
(COM(95) 546 final - 95/0281  
Deadline: April



### **Transport Section**

- Development of Community postal services  
COM(95) 227 final - 95/0221 COD  
Deadline: March
- The citizens' network - public passenger transport  
COM(95) 601 final  
Deadline: July
- Towards fair and efficient pricing in transport (Green Paper)  
COM(95) 691 final  
Deadline: July

### **Energy Section**

- Programme for research and technological development in the field of cooperation with third countries and international organizations  
COM(95) 539 final - 95/0271 CNS  
Deadline: April
- Introduction of rational planning techniques in the electricity and gas-distribution sectors  
COM(95) 369 final - 95/0208 SYN  
Deadline: April
- Green Paper on innovation  
COM(95) 688 final - Vol. I-II  
Deadline: to be decided

### **Agriculture Section**

- Support system for producers of certain arable crops  
COM(95) 497 final - 95/0265 CNS  
Deadline: January
- Intra-Community trade in and imports from third countries of poultry, hatching eggs, and fresh poultry meat  
COM(95) 535 final - 95/0268 CNS - 95/0269 CNS  
Deadline: February
- Marketing of vegetable and cereal seed and common catalogue of varieties of agricultural plant species  
COM(95) 628 final - 95/0320 CNS, 95/0321 CNS, 95/0322 CNS  
Deadline: February
- Control of classical swine fever - undesirable substances and products in animal nutrition - CMO in milk and milk products (consolidated version)  
COM(95) 598 final - 95/0298 CNS, 95/0299 CNS, 95/0300 CNS  
Deadline: February
- Guarantee thresholds for leaf tobacco (1996 and 1997 harvests)  
COM(95) 592 final - 95/0296 CNS  
Deadline: March
- Common organization of the markets in the sugar sector  
COM(95) 561 final - 95/0278 CNS  
Deadline: March

- Technical measures for the conservation of fishery resources in the Mediterranean  
COM(95) 635 final - 95/0328 CNS  
Deadline: March

#### **Social Affairs Section**

- Teaching and learning: towards the learning society  
COM(95) 590 final  
Deadline: to be decided

#### **IN ANTICIPATION**

##### **Economic Section**

- Common VAT system  
COM(95) 731 final - 95/0362 CNS  
Deadline: April
- 1996 Annual Economic Report (21 members)  
Deadline: April

##### **Environment Section**

- Priorities for consumer policy 1996-1998  
COM(95) 519 final  
Deadline: May
- Community policy and action programme on the environment and sustainable development  
COM(95) 647 final  
Deadline: May

##### **Industry Section**

- Green Paper on control of mergers and acquisitions  
COM(96) 19 final  
Deadline: May

##### **Regional Development Section**

- 6th Annual Report on the Structural Funds 1994  
COM(95) 583 final  
Deadline: April/May
- Cohesion policy and the environment  
COM(95) 509 final  
Deadline: April/May

##### **Energy Section**

- Additional financing - 4th R&DT Framework Programme  
COM(96) 12 final  
Deadline: to be decided

### **Social Affairs Section**

- Social security systems for salaried and non-salaried workers and members of their families moving within the Community (unemployed workers)  
COM(95) 734 final - 96/0004 CNS  
Deadline: July
- Social security systems for salaried workers and members of their families moving within the Community (early retirement)  
COM(95) 735 final 96/0001 CNS  
Deadline: July

### **Transport Section**

- Conditions applying to non-resident transport concerns for access to national road-passenger transport\*  
COM(95) 729 final - 96/0002 SYN  
Deadline: April/May

### **Agriculture Section**

- Specific arrangements for quality wines produced in certain regions  
COM(95) 744 final - 96/0007/0008 CNS  
Deadline: April

## **III. PRESENCE AND INFLUENCE OF THE ECONOMIC AND SOCIAL COMMITTEE**

### **The President's activities**

On 17 January 1996 the ESC President, Mr Carlos FERRER, attended the IVth Congress of the Comisiones Obreras trade union in Madrid.

On 18 January Mr FERRER, the ESC Vice-Presidents, Mr André LAUR and Mr Bent NIELSEN, and the Secretary-General, Mr Simon-Pierre NOTHOMB, met at a number of official meetings in Brussels, Mr Aleksander KWASNIEWSKI, President of Poland, along with Mr KULAKOWSKI, Ambassador of Poland to the European Union, and Mr LAMENTOWICZ, Deputy Secretary of State.

The same day Mr FERRER met Mr Luigi GUIDOBONO CAVALCHINI, Permanent Representative of Italy, and Mr LEGGERI, First Counsellor. The President was accompanied by Mrs RANGONI MACHIAVELLI, President of Group III, and Mr NOTHOMB, Secretary-General.

On 24 January, in Brussels, Mr FERRER, accompanied by Mrs Beatrice RANGONI MACHIAVELLI, President of Group III, and Mr Umberto BURANO, Member of Group I, representing the Italian Banking Association, took part in a roundtable organized by the European Commission on The Single Currency.

### **Other activities**

On 8 and 9 January Mr Robert MORELAND, President of the Section for Regional Development and Town and Country Planning, attended a Commission Hearing on Copyright and related rights in the Information Society.

On 11 January the Commission and the European Parliament organized a Conference on Biotechnologies in Brussels. This conference was attended by Mr Kenneth GARDNER and Mr Henri MALOSSE, Members of the Employers' Group, Mr Sergio COLOMBO and Mr Gérard DANTIN, Members of the Workers' Group, and Mr Wilfred ASPINALL and Mr Antoon STOKKERS, Members of the Various Interests Group.

On 23 and 25 January, hearings were held in Stockholm and Milan on Technical standards and mutual recognition in the Single Market, in which Mr Michael MOBBS, President of the Study Group, Mr Johannes JASCHICK, Rapporteur, and the members of this Study Group took part.

On 25 and 26 January the Study Group on the Health Monitoring Action Programme (Mr Kenneth GARDNER, President; Mr Markku LEMMETTY, Rapporteur) met in Helsinki.

#### **IV. IN MEMORIAM**

Mr Alfred DELOURME (Belgium - Group II), ESC Bureau member from 1974 to 1984 and President of the Transport Section from 1984 to 1988, died on 14 January 1996.

#### **V. INFORMATION VISITS**

During the period in question, the following information visits were made to the ESC.

- 9.1.96 Linfield College of Oregon, Department of Business and Economics, United States
  - 11.1.96 George Mason University, United States
  - 11.1.96 Pyrénées-Atlantique Departmental Centre for Young Farmers, France
  - 17.1.96 Hanzehoge School, Groningen, Netherlands
  - 18.1.96 Hanzehoge School, Groningen, Netherlands
  - 23.1.96 International Institute for the Training of Technical and Managerial Staff, Martinique and Guadeloupe
  - 24.1.96 College of Public Administration, Brühl, Germany
  - 29.1.96 University of Central Lancashire, Preston, United Kingdom
  - 30.1.96 Napier University, Edinburgh, United Kingdom
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